

CITY OF HENDERSONVILLE CITY COUNCIL

A G E N D A

MARCH 3, 2016 – 5:45 P.M.
Regular Meeting

Council Chambers – City Hall

- 1. Call to Order**
- 2. Invocation and Pledge of Allegiance**
- 3. Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
- 4. Consideration of Agenda**
- 5. Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
 - A. Consideration of Minutes:**
 - i. February 4, 2016 Regular Meeting
 - ii. February 11, 2016 Special Meeting
 - B. Consideration of Budget Amendments**
 - i. Public Works - Retiree Insurance; No Increase/Decrease
 - ii. Public Works - Snow Storm Costs; No Increase/Decrease
 - iii. Water/Sewer – Balance; Decrease of \$10,000
 - iv. Water/Sewer - Temporary Employee; No Increase/Decrease
 - C. Consideration of Converting Metered Spaces Behind City Hall to Free Parking for City Business**
 - D. Consideration of Utility Extension Agreement for Tall Oaks Subdivision**
 - E. Consideration of Approval of a Contract with WGLA Engineering for the N. Oak Street Widening Project and Approval of Resolution Exempting the Project from the provisions of NCCS 143-64.31**

6. **Swearing In Ceremony – Fire Chief Joseph Vindigni**
Presenter: Mayor Barbara Volk
7. **Quasi-Judicial Public Hearing - Consideration of a Request to Amend a Special Use Permit from Park Place Developers LLC for Towne Place Development Located Off Greenville Highway**
Presenter: Senior Planner David Hazzard
8. **Quasi-Judicial Public Hearing - Consideration of a Request to Amend a Special Use Permit from the Housing Assistance Corporation for Oklawaha Village Located off North Main Street**
Presenter: Senior Planner David Hazzard
9. **Public Hearing - Consideration of Final Plat Approval for Oklawaha Village**
Presenter: Senior Planner David Hazzard
10. **Consideration of Request to Waive System Development Charges**
Presenter: Ms. Cheria Duncan
11. **Presentation on Southside Stormwater Study**
Presenter: Engineering Director Brent Detwiler
12. **Consideration of Revisions to Parking Permits**
Presenter: Downtown Economic Development Director Lew Holloway
13. **Consideration of Special Event Permit for the 2016 Rhythm and Brews Concert Series**
Presenter: Downtown Economic Development Director Lew Holloway
14. **Comments from Mayor and City Council Members**
15. **Reports from Staff**
16. **Boards and Commissions: Consideration of (Re)Appointments and Announcement of Upcoming Vacancies**
Presenter: City Clerk Tammie Drake
17. **New Business**
18. **Adjournment**



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 02/23/16

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 03/03/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05b

Budget Amendments (4)

- 1) PW-Retiree Insurance | No Increase/Decrease
- 2) PW-Snow Storm Costs | No Increase/Decrease
- 3) WS-Balance | Decrease \$10,000
- 4) WS-Temp. Employee | No Increase/Decrease

Budget Impact: \$ See Description Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Fund 60 ; Decrease \$10,000

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the attached budget amendments as presented.

Attachments:

See below...

BUDGET AMENDMENTFUND: 40

ACCOUNT NUMBER			INCREASE	DECREASE
ORG	OBJECT	DESCRIPTION OF ACCOUNT		
104500	518900	Retiree Insurance	4,260.00	
109910	599100	Contingencies		4,260.00
		TOTALS IN BALANCE	\$ 4,260.00	\$ 4,260.00

An amendment to pay for Bari Souther's Retiree's Insurance. The City pays medical insurance for 30 year employees until they reach the age of 65. This was not budgeted because one can not know that an employee will retire mid-year. Contingencies will be used to cover this cost for the remainder of the year.



CITY MANAGER
Date: 2/18/16

APPROVED BY CITY COUNCIL:

DATE:

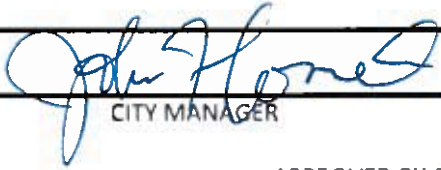
3/3/2016

BUDGET AMENDMENT

FUND: 10, 68

ACCOUNT NUMBER			INCREASE	DECREASE
ORG	OBJECT	DESCRIPTION OF ACCOUNT		
104510	512200	Salaries and Wages O/T	3,542.00	
104270	512200	Salaries and Wages O/T	816.00	
104760	512200	Salaries and Wages O/T	2,352.00	
109910	599100	Contingencies		6,710.00
TOTALS IN BALANCE			\$ 6,710.00	\$ 6,710.00

An amendment to cover overtime costs associated with the January snow storm.



CITY MANAGER

Date: 2/10/16

APPROVED BY CITY COUNCIL:

DATE:

3/3/2016

FUND: 60

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
607123	533000	Utilities		10,000.00
		TOTALS IN BALANCE	\$ -	\$ 10,000.00

A one-side amendment will need to be made to balance the budget. One of the previous amendments pushed this budget out of balance by \$10,000. The utilities account has only used 36% of its budget at mid-year and can afford this decrease. This decrease in expenditures will balance the budget. This was an inadvertant error made by the budget office.


CITY MANAGER

Date:

2/10/16

APPROVED BY CITY COUNCIL:


DATE:

3/3/2016

BUDGET AMENDMENTFUND: 60

ACCOUNT NUMBER			INCREASE	DECREASE
ORG	OBJECT	DESCRIPTION OF ACCOUNT		
607123	512600	Salaries & Wages Temp	31,500.00	
607123	518100	FICA Tax Expense	2,410.00	
609910	599100	Contingencies		33,910.00
TOTALS IN BALANCE			\$ 33,910.00	\$ 33,910.00

The purpose of this request is to hire Toby Hopkins, our former Facilities Maintenance Supervisor, to perform a site assessment survey for each pump station (31-sewer, 36-hydro-pneumatic water and 18-booster water) and for each storage tank (20) in our system, totaling 105-sites. Each survey will consider the condition of the following: building, roof, generator (if present), pumps/motors, control systems, SCADA, electrical systems, tanks (hydro-pneumatic and supply storage), grounds, internal and external drainage systems and identify valve configurations at each site to allow for quicker response in cases of emergency. Mr. Hopkins's knowledge of our system and pumping facilities is an invaluable asset that we would like to utilize while carry out these site assessment surveys. Our current staff is capable of conducting these surveys, but Mr. Hopkins can remain focused on each site and does not need to worry about being called out on another emergency or repair somewhere else in our system.



CITY MANAGER

Date:

2/23/16

APPROVED BY CITY COUNCIL:

DATE:

3/3/2016



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 2/23/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 3/3/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05c

Over the last several months, we seen a increasing demand on the parking spaces behind City Hall. This demand is due to the activities of the Police Department, meetings in City Hall and increased customer traffic. In some cases, water and sewer customers have had to park in the metered spaces thinking they would be able to quickly run inside and establish an account, make a payment or establish a payment arrangement only to come back to their vehicle to find a ticket. Due to this increased demand, we would like to remove the metered parking behind City and designate it as free parking for City Hall business to match the parking spaces along King Street. Additional benefits to making this change would be the freeing up of a kiosk for the Maple Lot, which would allow us to speed up the payment process during peak times and creating eleven additional free spaces on weekends, holidays and after hours.

Budget Impact: \$ TBD Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the eleven parking spaces on the west side of the center aisle in the City Hall Parking Lot be designated as free parking for City Hall business only. On weekends, holidays and after hours these spaces would be available for free parking.

Attachments:

Aerial photo of parking lot.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Rhonda Wiggins

Department: Admin

Date Submitted: 2/18/2016

Presenter: Lee Smith

Date of Council Meeting to consider this item: 3/3/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05d

Tall Oaks Subdivision Water and Sewer Utility Extension

This project will require an extension of the existing water and sewer system. The project is proposed to serve 4 duplex lots consisting of 8 total dwelling units. This project will be paid for by Tom Vavalle and Nicholas Vavalle of Hendersonville, NC and is located on Brooklyn Avenue.

This extension will consist of:
212 lf of 8" PVC gravity sewer
220 lf of 6" DIP Waterline

Based on the above information, the Water & Sewer Department has the capacity to support this additional infrastructure and associated connections and hereby recommends approval of said project contingent upon final approval of construction plans and specifications by the Water & Sewer Department.

Budget Impact: \$ 0 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to accept this Water Utility Extension Project and to authorize the City Manager to execute the associated Water Utility Extension Agreement on behalf of the City.

Attachments:



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brent Detwiler

Department: Engineering

Date Submitted: 2/25/16

Presenter: Brent Detwiler

Date of Council Meeting to consider this item: 3/3/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05e

City staff have been working with Pardee Hospital and their engineer, WGLA Engineering, PLLC on the Joint Health Education Building and various parking improvements in the area. Another improvement connected with this project involves the widening of N Oak Street from its current 18' to 24' from US 64 to 7th Avenue and adding a turn lane at US 64. This will provide better access to users of the new facility as well as local residents. Since the entire street will be under construction, water line and sewer line replacements will be included as part of this work. Staff asked WGLA to provide a proposal for the design of the street, sidewalk, curb/gutter, water and sewer improvements as well as the construction management of the project. WGLA has completed other site design work in the area, has been working with the Joint Health building contractor and are best equipped to provide an efficient and cost effective design.

In North Carolina, the procurement of professional services performed by architects, engineers, surveyors, and construction managers at risk is governed by G.S. 143-64.31, sometimes referred to as the "Mini-Brooks Act." The Qualifications Based Selection (QBS) process focuses on the qualifications of potential firms rather than their fees. This is often done by using a request for qualifications (RFQ) to solicit responses from interested firms.

Staff has provided the attached resolution to exempt the N Oak Street Widening design from the Qualifications Based Selection project. This due to the time constraints, and we feel given all of the background WGLA has in this area, we would be hiring the most qualified firm. Also included is the proposal from WGLA. We are asking you to approve the resolution and allow the City Manager to execute a contract with WGLA to perform the design and construction management work associated with widening N Oak Street. We welcome any questions that you may have.

Budget Impact: \$ 36,200.00 ☐ Is this expenditure approved in the current fiscal year budget? ☐ Yes ☐ If no, describe how it will be funded.

There are funds set aside for the Widening Project. There will also be a contribution from the Water/Sewer Fund because of the water and sewer improvements.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I hereby authorize the Mayor to execute a resolution to exempt the N Oak Street Widening Project from the provisions of G.S. 143-64.31. I also hereby move to approve a proposal from WGLA Engineering, PLLC for completion of the N Oak Street Widening project and to authorize the City Manager to execute a contract for said work; as presented and recommended by staff.

Attachments:

Resolution Exempting N Oak Street Widening Project from the provisions of G.S. 143-64.31
WGLA Proposal for N Oak Street Widening Project

**RESOLUTION EXEMPTING N. OAK STREET WIDENING PROJECT
FROM G.S. 143-64.31**

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee;

WHEREAS, the City proposes to enter into one or more contracts for design services for work on the N. Oak Street Widening Project; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

Upon motion of _____, seconded by _____, the above **RESOLUTION** was unanimously adopted.

This is ___ day of _____, 2016.

(Signature)
(Name and Title of Authorized Representative)

(Seal)

Attest:

(Signature)

(Name, Clerk)



WGLA Engineering, PLLC

Consulting Civil Engineers and Land Planners

February 25, 2016

Mr. Brent Detwiler, P.E.; City Engineer
City of Hendersonville
305 Williams Street
Hendersonville, NC 28792

Re: Proposal for Engineering Services
N Oak Street Widening

Dear Mr. Detwiler:

Thank you for the opportunity to submit a proposal to the City of Hendersonville for engineering services. Based on our discussion, I understand that the City of Hendersonville desires to have N. Oak Street designed for widening; and that the City either owns and maintains the required right-of-way or will acquire the necessary right-of-way for the project.

I understand that the street is to be widened to City of Hendersonville and NCDOT standards from the intersection of US-64 and N. Oak Street, northward approximately 450 LF to the intersection of N. Oak Street and 7th Ave. The street will have the following design criteria:

- A standard width of 24 feet, with 1'-6" curb and gutter (transitioned to 2'-6" at NCDOT Right-of-Way) and 5 feet sidewalks on either side. Portions of the roadway that are widened will maintain the existing roadway grade.
- Designated right-turn only and left-turn only turn lanes at the intersection of US-64 and N. Oak Street.
- The existing 8" diameter sanitary sewer line beneath N. Oak Street is to be replaced as a maintenance activity due to age and condition. Permitting for this utility is not expected.
- The existing 6" diameter water line beneath N. Oak Street is to be replaced with an 8" diameter line and will require a PWS permit prior to construction.
- Identify and coordinate dry utility relocation efforts (i.e. power, gas, telephone, fiber)
- Storm collection piping will be designed to accommodate the 25 year storm

WGLA Engineering would then take detailed engineering drawings and submit to Vannoy Construction for bid. Following is the scope of work anticipated to complete the roadway widening as described above:

Detailed Drawings

Fee: \$25,000.00

We will design the roadway widening and provide applicable plans, details, and calculations. Items to be included are: grading, drainage, erosion control, curb & gutter, paving, milling, paint striping, sanitary sewer replacement, water line replacement. We will provide drawings and documentation to NCDOT for applicable encroachments. Expected plan sheets include:

- Existing Site Conditions & Demolition
- Grading, Storm Drainage & Erosion Control
- Paving and Spot Elevations
- Water Plan & Profile
- Sewer Plan & Profile
- Site Details
- Water & Sewer Details

Bidding Coordination

Fee: \$2,300.00

We will submit detailed design drawings and specifications to Vannoy Construction for bid. We will transmit a CAD file to Vannoy as well. We will answer any questions, and attend any meetings that may arise during the bidding process.

Construction Observation and Project Closeout

Fee: \$8,900.00

There are a number of required inspections and meetings that will take place during construction. We will coordinate a pre-construction meeting with the City and Contractor before grading can begin on the project. We can provide inspections and reports to you and the City and will also provide you with Field Observation Reports (including pictures) from our visits.

NCDEQ will require inspection and certification of the water line replacement. We will observe the water and sanitary sewer construction during our site visits and coordinate the final walk-through/punch list process. We will witness testing of the water line construction, and certify the construction to NCDEQ. We will also witness testing of the sewer line. Additionally, we will coordinate with the contractor, City of Hendersonville, and appropriate geotechnical firm for any required compaction testing prior to paving. The cost of testing is not included in this proposal.

Finally, as-built drawings will be required for the water connection and the sewer line relocation. We can coordinate with the project surveyor for securing the as-built surveys and prepare final as-built drawings and certifications for submittal to the appropriate agency.

This fee assumes we will attend 1 preconstruction meeting, coordinate as-builts for the water and the sewer relocation, and visit the site a total of 9 times during the course of construction. Additional site visits beyond this will be considered additional services.

Fee

We propose to work on an hourly basis (time and materials) for a total fee not to exceed \$36,200.00 for all of the above outlined tasks. A basic fee schedule has been attached to this proposal for your convenience. Request for payment of services provided by Engineer will be submitted on a monthly basis for services provided during that month. Payment to Engineer will be made within 30 days after receipt of invoiced services. Payment of invoices not received within 30 days will accrue an interest charge at a rate of 1% per month from the thirtieth day until received.

Exclusions

This proposal does not include providing any of the following:

- Surveys (boundary, topographic, as-built, etc)
- Flood Studies or Permitting
- Traffic Studies
- Environmental/stream/wetland studies or permitting
- Geotechnical investigations or testing
- Permit Fees
- Right of Way Acquisition
- Formal Sewer Permitting
- Landscape Plan

Standard of Care

The standard of care for professional engineering related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by member of Engineer's profession practicing under similar conditions at the same time in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services.

Should you have any questions, please feel free to contact me, and we thank you for the opportunity to be considered for this project.

Sincerely,

WGLA Engineering, PLLC



Jared DeRidder, P.E.

Accepted (Print Name): _____

By (Sign): _____

Date: _____



WGLA Engineering, PLLC

Consulting Civil Engineers and Land Planners

BASIC FEE SCHEDULE 5/1/15

I. PROFESSIONAL FEES (Hourly Rate)

Project Manager/Principal	125.00
Project Engineer	85.00
Engineering Technician	60.00
Construction Inspector	50.00
Computer-aided Design Technician	45.00
Field Technician	35.00
Clerical	30.00

II. EXPENSES

- A. Mileage - \$0.70 per mile
- B. Telephone, reproduction costs, postage, overnight lodging, meals, and other incidental expenses shall be a direct charge per receipts.

III. ASSOCIATED SERVICES

Associated services required by the project such as soil analysis, materials testing, etc., shall be identified and agreed upon prior to initiating work.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 2/23/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 3/3/2016

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 06

Mayor Volk will administer the Oath of Office to new City of Hendersonville Fire Chief Joe Vindigni.

Budget Impact: \$ NA Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

NA

Attachments:

NA



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan Frady, DA Director

Department: Development Asst Dept

Date Submitted: February 17, 2016

Presenter: Susan Frady

Date of Council Meeting to consider this item: March 3, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 07

File #P15-14-SUR

The City is in receipt of a Special Use Permit application from Park Place Developers LLC to construct four residential dwelling units in two structures in the Towne Place Development located off of Greenville Highway. The PIN for this project is 9578-00-3059 and consists of approximately 6.68 acres.

Towne Place was originally approved as a Special Use Permit by City Council on September 4, 2003 and was classified as a PCD Planned Commercial Development with two phases. Phase I of Towne Place was approved for a maximum of 44 residential units and Phase II consists of two commercial buildings adjacent to Greenville Highway. To date, 37 residential units have been completed in Phase I and Phase II is complete.

The Special Use Permit for completing Phase I expired on September 4, 2012. The applicant is seeking to have City Council issue a new Special Use Permit to complete two buildings, each with two residential dwelling units, in Phase I. These two buildings were included in the original Special Use Permit.

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

See page 4 of the memo for suggested motions.

Attachments:

Memo

M E M O R A N D U M

TO: Honorable Mayor and City Council
FROM: Development Assistance Department
RE: Towne Place
FILE #: P15-14-SUR
DATE: February 17, 2016

PROJECT DESCRIPTION

The City is in receipt of a Special Use Permit application from Park Place Developers LLC to construct four residential dwelling units in two structures in the Towne Place Development located off of Greenville Highway. The PIN for this project is 9578-00-3059 and consists of approximately 6.68 acres.

Towne Place was originally approved as a Special Use Permit by City Council on September 4, 2003 and was classified as a PCD Planned Commercial Development with two phases. Phase I of Towne Place was approved for a maximum of 44 residential units and Phase II consists of two commercial buildings adjacent to Greenville Highway. To date, 37 residential units have been completed in Phase I and Phase II is complete.

The Special Use Permit for completing Phase I expired on September 4, 2012. The applicant is seeking to have City Council issue a new Special Use Permit to complete two buildings, each with two residential dwelling units, in Phase I. These two buildings were included in the original Special Use Permit. A copy of the original Final Site Plan for Phase I with the two buildings highlighted can be found on page 14.

EXISTING LAND USES & ZONING

The aerial view of Towne Place on page 13 shows the existing buildings along with the location of the two proposed new buildings. The zoning within the Towne Place Development is PCD Planned Commercial Development. With the exception of parcels fronting on Greenville Highway, surrounding parcels are zoned R-15 Medium Density Residential and consist of residential uses. The parcel located at the northeast corner is Phase II of Towne Place, is zoned PCD Planned Commercial Development and consists of two office buildings. The parcel located at the southeast corner is zoned GHMU Greenville Highway Mixed Use and consists of a residential use.

Since this property is already zoned Planned Commercial Development, no rezoning is required with this application.

COMPREHENSIVE PLAN CONSISTENCY

The parcel included in this project and adjacent parcels are classified as High Intensity Neighborhood on the 2030 Comprehensive Plan's Future Land Use Map.

The goal of the High Intensity Neighborhood is to encourage low-maintenance, high-density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.

Comprehensive Plan consistency is addressed under "E" on page three.

PLAN REVIEW

Buildings

The two proposed buildings are two story with a maximum height of 29' and will have two residential units each for a total of four residential units.

The combined Preliminary / Final Site Plan along with architectural elevations showing proposed façades are included with this memorandum on pages 15 -16. The two proposed buildings are listed as #10 and #11.

Parking

Each unit has a two car garage and a driveway.

Stormwater

The existing Phase I Towne Place development has an approved stormwater system installed. This original design of this system included these two buildings. A Stormwater Management Easement, Inspection and Maintenance Agreement is in effect for Phase I of Towne Place. This agreement was recorded on August 8, 2012. The Engineering Department sent a notification to the owner of record of the common space, Park Place Developers LLC on December 18, 2015 reminding them of the requirements of this agreement. The maintenance agreement requires an annual stormwater inspection report to be submitted to the City. To date there are three annual reports are overdue.

The City Engineering Department has conducted its own inspection of the stormwater facilities on the site and have found numerous deficiencies that must be corrected. These deficiencies include, but are not limited to: need of sediment removal, need of restoration of sediment storage basins which are at capacity, need of stabilization of inlet/outlet, need of stabilization of several actively eroding areas, and restoration of vegetation. These deficiencies were included in the notification on December 18, 2015. That letter is included with this memorandum.

Towne Place Home Owners Association (TPHOA)

Staff has received correspondence from Stephen Shelton, President TPHOA, requesting that the City Council add a condition that the approval “be contingent on Park Place Developers fixing the currently identified deficiencies with the storm water runoff system”. A copy of an email requesting the above condition can be found on page 12.

ANALYSIS

Section 7-4-10.1 of the Zoning Ordinance states, “no special use permit shall be approved by City Council unless each of the following findings is made.”

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

Staff has not identified any issues relating to public health, safety or general welfare.

- (B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

The property is currently served by water and sewer.

- (C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

The applicant is not requesting any variances.

- (D) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

A neighborhood compatibility meeting concerning the application was held on September 30, 2015. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property.

Approximately 16 members of the general public attended the meeting. The general public asked questions regarding the following:

- Type of units proposed
- Stormwater
- Construction traffic

A copy of the neighborhood compatibility report accompanies this memorandum.

- (E) The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the *Comprehensive Plan* and the *Comprehensive Transportation Plan*.

The 2030 Comprehensive Plan's High Intensity Neighborhood is to encourage low-maintenance, high-density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.

The 2008 Comprehensive Transportation Plan does not mention Towne Place Drive where these two buildings will be located.

PLANNING BOARD

The Planning Board took this matter up at its regular meeting of February 8, 2016. The Planning Board voted unanimously to recommend City Council approve the application of Park Place Developers, LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions with the added condition that Park Place Developers shall fix the currently identified deficiencies with the storm water runoff system which shall be inspected and approved prior to the start of construction.

SUGGESTED MOTIONS

Special Use Permit

Approval:

I move City Council to approve the application of Park Place Developers, LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.

[PLEASE STATE YOUR REASONS]

Approval With Conditions:

I move the City Council to approve the application of Park Place Developers, LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions with the following condition(s):

[PLEASE STATE YOUR REASONS]

Denial:

I move the City Council to not approve the application of Towne Place for issuance of a Special Use Permit.

[PLEASE STATE YOUR REASONS]

IN RE: Towne Place (File # P15-14-SUR)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

Residential dwellings, two family

II. Conditions:

(1) Shall Be Attached to the Special Use Permit:

The combined Preliminary / Final Site plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.

Towne Place

Signature: _____

Printed Name: _____

Date: _____

Planning Director's Report
Neighborhood Compatibility Meeting
Application for a Special Use Permit
Towne Place File #P15-14-SUR
Wednesday September 30, 2015 1:30 p.m.

Sue Anderson, Planning Director, convened the compatibility meeting at 1:30 pm in the Assembly Room of the City Operations Center. The following were in attendance:

Name	Address	Name	Address
Jim Ayers (applicant)	161 Towne Place Dr.	Larry Winson (attorney)	140 4 th Ave. West
Linda B. Cooper	133 Towne Place Dr.	Nathan Stalling (Madd Mann Prop.)	14 Towne Place Dr.
Lowell B. Cooper, Jr.	133 Towne Place Dr.	Jim Hall	30 Westminster Ct.
Don Moses	79 Towne Place Dr.	Caroline J. Cooper	131 Rutledge Dr.
Leslie Moses	79 Towne Place Dr.	Linda & George James	231 Towne Place Dr.
Perry Mace	93 Towne Place Dr.	Mary & Richard Kauffold	240 Towne Place Dr.
Peggy Cramer	110 Towne Place Dr.	Ted Carland	218 Towne Place Dr.
Margaret Ayers	161 Towne Place Dr.		
Stephen Shelton	60 Towne Place Dr.	Sue Anderson	100 N. King Street
Janice Shelton	60 Towne Place Dr.	Terri Swann	100 N. King Street

Ms. Anderson opened the meeting explaining this is the first step in a three step process. The Towne Place Special Use Permit expired and has to be re-issued. There has also been a change to the zoning code to allow it to move forward. The first stop is Neighborhood Compatibility Meeting, next is the Planning Board and last it goes to City Council. There are two buildings with four units to complete. Letters (138) were sent to properties within 400 feet of the site. This is an informal meeting to ask questions and get answers. Minutes of this meeting will be forwarded to Planning Board and City Council.

Mr. Ayers, applicant, 161 Towne Place Drive stated he is proposing to build the final two buildings in terms of the Special Use Permit. He has an agreement with the property owner that he will build the building like the ones that are already constructed.

Mr. Winson, Attorney stated the remaining units will be built in line with what is there now.

Mr. Ayers will comply with those aesthetics and the architectural design that is there now. Once this is approved the developer will convey the property to Mr. Ayers.

Mr. Winson is preparing what is called an Assignment and Assumption Agreement. This means they will assume the property and build to the requirements already there. They will not build a 16 story casino. Everyone can be assured that they will build in line with what is there now. This is to maintain the integrity of what is there now.

Mr. Ayers showed photos of the different styles of houses. The Savannah with Richmond 1 and 2 and the double Richmond. He discussed the different styles. He plans to use the original plans as much as he can and make the exterior look like what is there now but there will be no dead valleys in the roof. He doesn't want this building to stand out, he wants to blend it with what is there now. His intent is to develop the units as similar as what is there now. The interior will have some upgrades such as cabinets. He has spoken with more than one person who is interested in Towne Place.

Janice Shelton asked how purchasing this lot will affect the common ground. Mr. Winson stated on the site plan each unit on the property has common elements and this won't change. The two units, once built will be tied back to the common elements. Park Place Developers will assign back to the Homeowner's Association. There will be separate plats with legal descriptions that will tie back into the common elements.

Ms. Anderson stated the City will have to complete all the inspections first before anything gets turned back over to the Association. Henderson County will do a final building inspection before the issuance of the final certificate of occupancy. They will need final sign off with the City before this can be turned over to the Association.

Perry Mace, 93 Towne Place Drive asked which type home would be used. Mr. Ayers stated this is still up in the air but it will be no different than the ones the original developer used.

Richard Kauffold, 240 Towne Place Drive asked if the topological features changed because of the catch basin. Will they have to submit an updated drainage plan? Mr. Ayers stated the City is involved with the catch basin. The survey will have the catch basin sitting between the units and he believes it will run back to the retention area with no problem.

Ms. Anderson stated they have an approved stormwater plan and this is part of the City's review process. Any modifications will have to be approved by the City's Engineering Department.

George James, 231 Towne Place Drive asked what the City's rule is on stormwater. Ms. Anderson stated a previous stormwater plan has been filed with the City. This is an ongoing project and the Engineering Department will be involved with this project and they will review the placement of these buildings as well.

There was some question about why the parcel that the mansion sits on is in the name of Towne Place instead of Park Place Developers. Mr. Winson stated he would look into this and all areas whether under the same name or not will have to be turned back over to the Homeowner's Association eventually.

Stephen Shelton, 60 Towne Place Drive stated there are still drainage problems in other parts of the development and does the City have any issue with this. Ms. Anderson stated the City may have concerns about this. Any concerns the residents have should be put in writing and let the Engineering Department take a look at them.

Mr. Mace stated there were concerns about the liability of someone falling into the pond and who is responsible if this happened. Mr. Winson stated when the common elements are turned back over to the Association then it would become their problem. Park Place he assumes would be responsible until it is turned over to the Association.

Mr. James stated this stuff has been going on since the Special Use Permit was issued. The fence was not built by the developer it was built at their expense. The Homeowner's Association finished this off. The developer said none of these things were his problem. Mr. Winson stated he would look into this and get back to him.

Mr. Kauffold asked when and if they had a start date. Mr. Ayers stated he plans to start construction in the spring when things are dry. He lives 3 to 4 houses down from the site and trucks will be coming by his house as well. He plans to do the grading carefully and quickly and quietly as he can. He hopes to be finished by next fall.

Mr. Kauffold asked if the trucks would be off loading onto to smaller trucks to come into the development. Mr. Ayers stated he plans to have the larger concrete trucks come in with smaller loads so the street will not become damaged by them. He plans to not have any trucks going into the cul-de-sac but he can't guarantee no pick-up trucks will not go down there. He is getting limitations from the Board on construction hours. He will plan to start around 8:00 am and be out of there by 5:30 or 6:00 pm. There will be no Sunday work. Saturday is optional especially when they start doing just the interior work.

Janice Shelton, 60 Towne Place Drive stated she appreciates Mr. Ayer's concern for the roads but what guarantees do they have that the roads will not be damaged. Mr. Ayers stated the Board is going to have the developer set aside money to take care of any damage that may happen.

Jim Hall, 30 Westminster Court stated he owns two houses on the other side of the fence and he is against this. He has suffered through 12 years of Ty Rhodes and he now has a wonderful tenant and he doesn't want to lose them. The drainage situation at the corner of this development is ridiculous. Adding more units will only make it a bigger mess.

Mr. Hall asked about discussing the price of the land. Mr. Winson stated he could not discuss that. Ms. Anderson stated this was not pertinent.

Mr. Hall stated the drainage situation will not work and he respectfully requests that these units not be built.

Mr. James had concerns about the builder only building the buildings and the entity was still Park Place Developers. Mr. Winson stated the developer designs to assign a 3rd party right to complete these two units. No one is purchasing anything. Mr. James wanted to know who they are dealing with then. Mr. Winson stated he can't comment on this but the developer is signing rights to complete over to Mr. Ayers and then that will transfer to the Association once the buildings are complete.

Mr. James asked who the officer in charge of Park Place Developers is. Mr. Winson stated it is Mr. Sorgini and he resides in Florida. Mr. James stated this is not very handy when they have a problem at the development. Mr. Winson stated the development could get Park Place Developers out of their hair by allowing the Special Use Permit to move forward and allowing Mr. Ayers to build the units thus turning over the units back to the Association when finished. Mr. Winson stated Mr. James can contact him with a list of problems and concerns and that he would convey this on to Park Place Developers. Mr. Winson was unaware of any problems in the development.

Linda Cooper, 133 Towne Place Drive stated there has been a lot of expense to the Association and now what type of builders warranty will be in place so this doesn't become another Homeowner's Association problem. Mr. Ayers stated he plans to build this to code and have the Architectural Review Committee make any suggestions. There will be a one year warranty on the units and a ten year structural warranty. This is a North Carolina requirement with the state. Ms. Cooper asked when the warranty would take effect. Mr. Ayers stated it would start when an owner took over possession.

Mr. Ayers stated he would be responsible for the maintenance of the units until the homes are sold.

There was more talk about the maintenance of the retention pond. Ms. Anderson stated there is a stormwater maintenance agreement that requires the pond to function as it should function. This is an agreement that is made with the City and reviewed by the Engineering Department.

Mr. Winson stated all agreements will be turned over to the Homeowner's Association upon completion of the development.

Mr. Shelton stated he had to do remedial work on his house due to poor construction. Would the estate be willing to reimburse for any work that had to be done. Mr. Winson stated this was doubtful considering the time that has passed but if Mr. Shelton would submit something to him, he would check on this.

Mr. Kauffold asked if the trucks would be allowed to park in the driveways. Mr. Ayers stated no one would be parking in any of the driveways. The trucks will be parking in front of the building site.

It was asked how many years a Special Use Permit can remain open. Ms. Anderson stated the permit would start in two years and complete in three years. An extension cannot go beyond five years.

Someone asked if the Board of Adjustment would be hearing this application. Mr. Winson stated this would not go before the Board of Adjustment. When Ms. Anderson denied the application then there was a reason to appeal her interpretation. Now there is no reason to go before the Board of Adjustment because this is going back to City Council.

Mr. Ayers stated he plans to have the soil tested before building begins and he also plans to make park areas for everyone to enjoy.

Linda James, 231 Towne Place Drive stated she lives the farthest from the pond but when it rains the water rises up to the house next to hers and goes into their crawl space and up under the porch. This creates a soupy, muddy mess. Ms. Anderson stated with all the rain now it is obviously standing water on the ground. They need to discuss this with the City Engineer and maybe have him walk the site and see any obvious issues that are out there.

Ms. James asked where the porta-johns will be located. Mr. Ayers stated they would be on the work site and he will keep them clean. They will not be placed in the street.

Mr. James stated the declarant had purposed to solve the problems in the development and hasn't. Is there a timeline in terms of turning this over to the Association when Mr. Ayers completes the construction? Mr. Winson stated after all of the final inspections are completed and the units have been purchased it will then be turned over. The developer wants out as soon as possible. Once the final plats have been filed and everything has been nailed down they will turn it over. The developer doesn't want to extend this any longer than he has to.

Ms. Shelton stated during the past years the declarant was not paying fees associated with the lots. Is there any chance of getting back fees for this? Mr. Winson stated they could discuss that after this meeting.

Mr. Winson stated they are trying to get the developer out of the process and get the buildings built and resolve all the issues.

Don Moses, 79 Towne Place Drive stated the retention area is at the back of his property and he had concerns of where the water goes. Ms. Anderson stated she did not know.

Mr. James stated there is a big drain there and the water hits that drain and starts draining to the pipe, there are large rocks where the water blows over the berm because it can't hold all the water and it overflows onto the rocks. This is connected to the city water system. Ms. Anderson stated Brent Detwiler is the City Engineer and they either need to go speak with him or have him come out and make a site visit. There are stormwater

plans for the site and anyone can get a copy.

Mary Kauffold, 240 Towne Place Drive asked about the elevation and the rock below the windows. Mr. Ayers stated he is using the original elevations from the builder.

Ms. Anderson stated the Planning Board will hear this at their December 14th meeting at 4:00 pm. Then a public hearing will take place with City Council at their meeting on January 7th at 5:45 pm. This will be a public hearing and you can be sworn in to speak.

With no further comments or questions, Ms. Anderson closed the meeting at 2:50.

Email from the Towne Place HOA President

From: [Stephen Shelton](#)
To: [Anderson, Susan](#)
Cc: [Joe Gramer](#); [Stephen Shelton](#); [Linda Cooper](#); [Dick Hendler](#); [Bob](#)
Subject: Re: February 2016 Planning Board meeting
Date: Tuesday, January 19, 2016 4:08:50 PM

Hello Susan -

This is a followup to my correspondence with you on December 8, 2015.

The Towne Place Home Owners Association formally requests that the condition below be added to the stipulations for approval of the Special Use Permit (SUP) for lots 10 and 11 at Towne Place. We understand that this SUP will be on the agenda for the February 2016 Planning Board meeting.

Approval of the SUP application should be contingent on Park Place Developers (PPD) fixing the currently identified deficiencies with the storm water runoff system. There is a signed agreement between the city and PPD for maintenance of the storm water runoff system. We understand that the city has been trying to get PPD to repair deficiencies since the Spring of 2013. PPD will be in control of this common ground property until late in calendar year 2016 or early 2017.

The developer, James Ayers, has agreed to signing the "Towne Place HOA Construction Rules and Regulations" document and providing specified fees so even though I mentioned this in the previous correspondence, it does not need to be addressed at the Planning Board or the City Council meeting.

Best regards,
Stephen Shelton
President, Towne Place Home Owners Association
60 Towne Place Dr.
828-696-9310

Existing Site



Towne Place Phase 1
City of Hendersonville

City of Hendersonville
December 2015

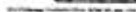




TABLE OF NUMBERED CALLS
ALONG CENTER LINE OF
TOWNE PLACE DRIVE

COURSE	BEARING	DISTANCE
1	RAD: 90.00° TAN: 28.91'	
2	LEN: 23.84' DELTA: 29°26'54"	
3	S 30°36'22"W	55.00'
4	S 18°47'54"W	58.57'
5	RAD: 120.00° TAN: 1.42'	
6	LEN: 2.84' DELTA: 7°21'18"	
7	S 72°28'57"W	2.84'

LEGEND

- EXISTING CORNER MONUMENT
- NEW CORNER MONUMENT
- NEW CORNER MONUMENT SET ON
- COMPUTED POINT-HIGH CORNER
- CONCRETE MONUMENT
- ALL NOTES

PLAT OF TOWNE PLACE

COMBINED PRELIMINARY AND FINAL SITE PLAN

CITY OF HENDERSONVILLE
HENDERSONVILLE TOWNSHIP
HENDERSON COUNTY
NORTH CAROLINA

JANUARY 4th, 2016

DEVELOPMENT INFORMATION

AS-BUILT PROJECT SUMMARY

AS-BUILT 11/1/15	PROPOSED BY JUNE 2015	TOTAL
TOTAL PROJECT AREA	8.59 AC	8.59 AC
PROPOSED USE	RESIDENTIAL	RESIDENTIAL
UNITS BUILT/PROPOSED	28	28
AREA IN STRUCTURES	(14,590) 1.87 AC	(22,280) 2.82 AC
AREA IN NEW PROPOSED	(14,590) 1.87 AC	(14,590) 1.87 AC
COMMON OPEN SPACE	(11,180) 1.42 AC	(11,180) 1.42 AC
AREA IN OPEN SPACE	(8,600) 1.10 AC	(8,600) 1.10 AC
PRIVATE OPEN SPACE	(2,580) 0.33 AC	(2,580) 0.33 AC
ACCESS STREET	PRIVATE	PRIVATE
WATER	CITY	CITY
SEWER	CITY	CITY
TRASH COLLECTION	CITY	CITY
EXISTING ZONING	R-20	R-20
PLAT DISTRICT		HENDERSONVILLE
MIN. DIST. BETWEEN STREETS	10'	10'
MAX. BUILDING HEIGHT	28'	28'
MIN. NUMBER	28	28
PARKING REQUIRED	74	74
PARKING PROVIDED	120	120
LENGTH OF STREET	1400'	1400'

- * EXCLUDES COMMON OPEN SPACE
- * TRASH COLLECTION TO BE CITY-INDIVIDUAL CONTAINERS
- * PROPERTY IS WITHIN THE CITY OF HENDERSONVILLE
- * NO PORTION OF THE PROPERTY IS WITHIN 100 YEAR FLOOD AREA
- * ALL OPEN SPACE IS MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION

OWNER/DEVELOPER: TOWNE PLACE DEVELOPMENT, LLC
1000 NW 17th Avenue, Suite 200
SUNBELT BEACH, FL 33443

LAND PLANNER: LUTHER E. SMITH & ASSOCIATES, P.A.
121 3rd Avenue West, Suite 1
HENDERSONVILLE, NC 28703

ENGINEER: MOUNTAIN ENGINEERING
121 3rd Avenue West, Suite 2
HENDERSONVILLE, NC 28703



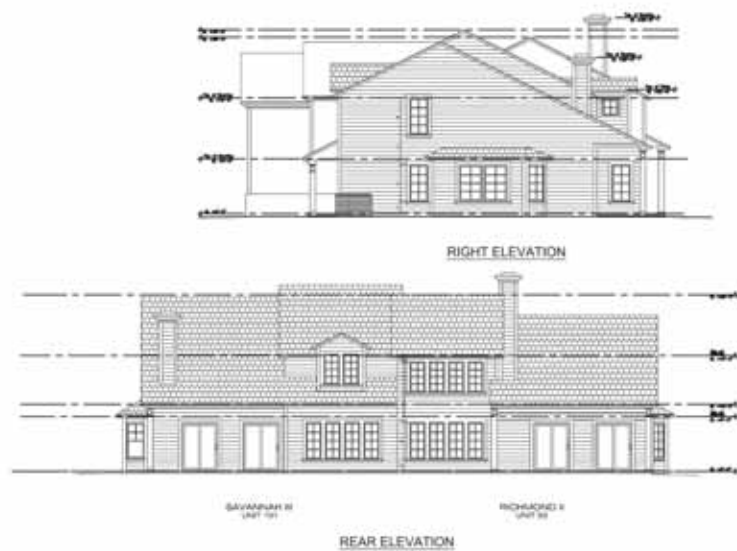
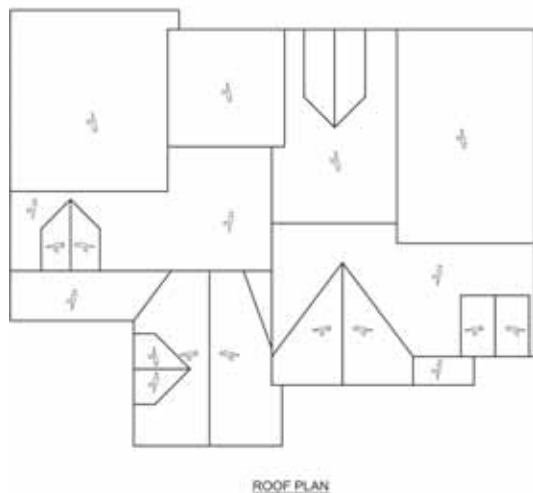
PROPOSED BY J. SMITH	PROJECT COMPLETION
AS-BUILT/COMPLETION DATE	# OF UNITS, SPT, TOT, TOTAL SPT, TOTAL
JUNE 2015	15, 0.281, 0.281, 0.281, 0.281
JUNE 2015	13, 0.281, 0.281, 0.281, 0.281
TOTAL AS-BUILT	28, 0.562, 0.562, 0.562, 0.562
COMPLETION OF THE PROJECT	
JUNE 2015	15, 0.281, 0.281, 0.281, 0.281
JUNE 2015	13, 0.281, 0.281, 0.281, 0.281
TOTAL PROPOSED	28, 0.562, 0.562, 0.562, 0.562
TOTAL PROJECT	56, 1.124, 1.124, 1.124, 1.124



REVISIONS
DATE: 11/1/15
BY: J. SMITH
REASON: AS-BUILT
DATE: 11/1/15
BY: J. SMITH
REASON: AS-BUILT



SURVEY BY
STEVEN LLOYD WAGGONER
NC PLS 2874
WAGGONER & SONS
LAND SURVEYORS, PLLC
200 SOUTH GREEN STREET
HENDERSONVILLE, NORTH CAROLINA 28703
PHONE: 438-4600-4601
FAX: 438-4600-4602



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The Benedict Group
ARCHITECTURE • PLANNING

1000 NEW 9TH STREET - SUITE 1
CORPUS CHRISTI, TEXAS 78401
(361) 655-1000 FAX (361) 655-1001

TOWNPLACE DUPLEX

**SAVANNAH 3
& RICHMOND 2
MODELS
UNITS 93 & 101**

**ELEVATIONS
SECTION & ROOF
PLAN**

Scale: 1/8" = 1'-0"

DATE: 10.28.15
PROJECT: TOWNPLACE
SHEET: 001
PAGE: 1

A-3

APPEAL OF DEVELOPMENT DECISIONS

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

Section 7-13-2 (b): Preliminary site plans. Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service or by registered mail or certified mail return receipt requested.

Section 7-13-2 (d): Special use review. Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

§ 160A-364.1. Statute of limitations.

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months as provided in G.S. 1-54.1. (1981, c. 891, s. 3; 1995 (Reg. Sess., 1996), c. 746, s. 7.)

CITY COUNCIL:
BARBARA G. VOLK
Mayor
RON STEPHENS
Mayor Pro Tem
STEVE CARAKER
JERRY A. SMITH, JR.
JEFF MILLER

CITY OF HENDERSONVILLE

The City of Four Seasons

ENGINEERING DEPARTMENT
Brent G. Detwiler, PE
City Engineer

OFFICERS:
JOHN F. CONNET
City Manager
SAMUEL H. FRITSCHNER
City Attorney
TAMMIE K. DRAKE
City Clerk

December 18, 2015

Park Place Developers LLC
c/o Robert C. Sorgini, Attorney
Sorgini & Sorgini, P.A.
300 North Federal Highway
Lake Worth, FL 33460

Re: Towne Place - Stormwater Operation & Maintenance Inspection Report

Dear Property Owner:

This letter is a reminder to you of your responsibility to inspect and maintain the stormwater system on the Towne Place property (Towne Place Dr., 28792). The City of Hendersonville has previously notified you of this beginning in May 2013. As part of these responsibilities you are required to submit an inspection report annually. To date there are three (3) annual inspection reports overdue.

The City has also been in contact with the Homeowners Association in regard to this matter. This correspondence is attached.

The City has conducted its own inspection of the stormwater facilities on the site and have found numerous deficiencies that must be corrected. These deficiencies include, but are not limited to: need of sediment removal, need of restoration of sediment storage basins which are at capacity, need of stabilization of inlet/outlet, need of stabilization of several actively eroding areas, restoration of vegetation.

As part the City of Hendersonville Stormwater Regulations, you are required to submit a stormwater inspection report yearly regarding the Stormwater BMP's onsite. Each stormwater BMP has its own set of inspection guidelines. The inspection requirements can be found within the Operation & Maintenance Agreement Appendix A (attached) that was signed prior to issuance of the CO for your site. Below is the Section of the City's Ordinance outlining the inspection requirements:

Per Sec 24-153 – General Standard for Maintenance

(a) Function of BMPs as intended. The owner of each structural BMP installed pursuant to this article shall maintain and operate it so as to preserve and continue its function in controlling stormwater quality and quantity at the degree or amount of function for which the structural BMP was designed.

(b) Annual maintenance inspection and report. The person responsible for maintenance of any structural BMP installed pursuant to this article shall submit to the stormwater administrator an inspection report from one of the following persons performing services only in their area of competence: a qualified registered North Carolina professional engineer, or person certified by the state cooperative extension service for stormwater treatment practice inspection and maintenance. The inspection report shall contain all of the following:

(1) The name and address of the land owner;

305 Williams Street
Hendersonville, NC 28792-4461

bdetwiler@cityofhendersonville.org
www.cityofhendersonville.org

Phone: 828.697.3000
Fax: 828.697.3066

- (2) The recorded book and page number of the lot of each structural BMP;
- (3) A statement that an inspection was made of all structural BMPs;
- (4) The date the inspection was made;
- (5) A statement that all inspected structural BMPs are performing properly and are in compliance with the terms and conditions of the approved maintenance agreement required by this article; and
- (6) The original signature and seal of the qualified registered North Carolina professional engineer or person certified by the state cooperative extension service for stormwater treatment practice inspection and maintenance.

All inspection reports shall be on forms supplied by the stormwater administrator. An original inspection report shall be provided to the stormwater administrator beginning one year from the date of as-built certification and each year thereafter on or before the date of the as-built certification.

Our stormwater records indicate that the Towne Place stormwater as-built certification was on 7/5/2012. Please provide the Engineering Department with an inspection report as soon as possible. If you have any questions regarding the inspection or need a copy of the Operation & Maintenance agreement please contact Brent Detwiler or myself.

Sincerely,
CITY OF HENDERSONVILLE



Brendan V. Shanahan, PE
Civil Engineer
City of Hendersonville
305 Williams St.
Hendersonville, NC 28792
(828) 233-3237
bshanahan@hvlnc.gov

Cc: Lawrence Winson (WinsonLaw@WinsonLaw.com)
Susan Anderson, City of Hendersonville
David Hazzard, City of Hendersonville
Brent Detwiler, City of Hendersonville
Keith Fogo, City of Hendersonville

City of Hendersonville

PLANNING BOARD REPORT

Project Name: Towne Place
Application for Issuance of a Special Use Permit

File Number: P15-14-SUR

Special Use Permit

☐ Approval – The application is consistent with all of the objectives and policies for growth and development contained in the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

☒ Approval With Conditions – The application is not fully consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan, so the following conditions are recommended in order to make it fully consistent.

PARK PLACE DEVELOPERS SHALL FIX THE CURRENTLY IDENTIFIED DEFICIENCIES WITH THE STORM WATER RUNOFF SYSTEM WHICH SHALL BE INSPECTED AND APPROVED PRIOR TO THE START OF CONSTRUCTION.

☐ Denial – The application is not consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

This report reflects the recommendation of the Planning Board, this the 8th day of February, 2016.

Attest:

Planning Board Chair

Planning Director



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan Frady, DA Director

Department: Development Asst Dept

Date Submitted: February 17, 2016

Presenter: Susan Frady

Date of Council Meeting to consider this item: March 3, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 08

File # P15-58-SUR

The City is in receipt of an application to amend a Special Use Permit from Housing Assistance Corporation for the Oklawaha Village development located on North Main Street. This project was previously approved by City Council at their regular meeting on March 5, 2015. The applicant has made the flowing modifications to the approved Preliminary Site Plans and has submitted those plans for approval:

- The addition of a 12 unit multi-family building
- The Office / Community Building is relocated to the east
- Single family lot #5 will now be used for open space including a playground
- An increase in multi-family units from 66 to 78

Generally, minor modifications to approved Preliminary Site Plans are only subject to staff review and approval. Section 7-6 of the Zoning Ordinance does not allow staff to approve modifications that exceed 10% of the preapproved 84 dwelling units. Therefore, an amended Special Use Permit approved by City Council is required.

Budget Impact: \$ 0.00 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Approval: I move City Council to approve the application of Housing Assistance Corporation for an amended Special Use Permit based on the site plans submitted by the applicant.

Denial: I move City Council to not approve the application of Housing Assistance Corporation for issuance of an amended Special Use Permit.

Attachments:

Memo

M E M O R A N D U M

TO: Honorable Mayor and City Council

FROM: Development Assistance Department

RE: Oklawaha Village

FILE #: P15-58-SUR

DATE: February 17, 2016

PROJECT DESCRIPTION

The City is in receipt of an application to amend a Special Use Permit from Housing Assistance Corporation for the Oklawaha Village development located on North Main Street. This project was previously approved by City Council at their regular meeting on March 5, 2015. The applicant has made the flowing modifications to the approved Preliminary Site Plans and has submitted those plans for approval:

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This parcel is approximately 18.3 acres and will have a total of 78 multi-family units, 17 single family lots, a 2,214 ft² Office/Community Building and a 4,200 ft² Office/Support Building. The Preliminary Subdivision Plat for the single family lots has been approved by the Planning Board and the applicant is currently seeking Final Subdivision Plat approval.

The following parcels are part of this application.

9569-84-2437	9569-84-5809	9569-84-4409	9569-85-0280
9569-85-1371	9569-84-5729	9569-84-4610	9569-75-9397
9569-85-2234	9569-84-5649	9569-84-4701	9469-85-1339
9569-85-3107	9569-84-5650	9569-84-2985	
9569-85-3170	9569-84-5469	9569-85-2013	
9569-85-4043	9569-84-5337	9569-85-1151	

EXISTING LAND USE & ZONING

The parcels included in this application are largely vacant. A vacant single family residence fronts on North Main Street and there are a couple of vacant accessory structures also located on the site. Surrounding zoning districts are shown on the “Zoning Map” on page seven.

The project site is currently zoned Planned Residential Development. The applicant is not seeking any changes to the existing zoning.

COMPREHENSIVE PLAN CONSISTENCY

The parcels included in this application are classified as Medium Intensity Neighborhood and Natural Resource/Agricultural on the 2030 Comprehensive Plan's Future Land Use Map. Surrounding parcels are classified as Medium Intensity Neighborhood and Natural Resource/Agricultural.

The goal of the Medium Intensity Neighborhood classification is to “provide a transition between High and Low-Intensity Neighborhood areas, while providing a wide range of housing formats and price points. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.”

The goal of the Natural Resource/Agricultural classification is to “create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources.”

PLAN REVIEW

Buildings

The site plans include the following:

- Six multi-family buildings with a total of 78 units and 90,654 ft².
 - Building “A” has a total area of 13,782 ft² and is three stories
 - Building “B” (x2) has a total area of 15,108 ft² for each building and is three stories
 - Building “C” has a total area of 21,948 ft² and is three stories
 - Building “D” (x2) has a total area of 12,354 ft² for each building and is three stories
- 17 individual single-family lots.

- 2,214 ft² Office/Community Building including an office, community room, craft area, laundry and mail area.
- 4,200 ft² “Future” Office/Support Building located along N. Main Street at the entrance to the site.
- Park and Playground area.

The amended Preliminary Site plans and an elevation drawing are included with this memorandum. The elevation drawing shows proposed façades.

ANALYSIS

Section 7-4-10.1 of the Zoning Ordinance states, “no special use permit shall be approved by City Council unless each of the following findings is made.”

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

Staff has not identified any issues relating to public health, safety or general welfare.

- (B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

Water and sewer service is intended to be extended to the site.

- (C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

No variances are requested.

- (D) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

A neighborhood compatibility meeting concerning the application was held on January 14, 2016. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by Section 7-4-4.1 of the Zoning Ordinance.

One person representing the general public attended the meeting. No concerns were raised. A copy of the neighborhood compatibility report accompanies this memorandum.

- (E) The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the *Comprehensive Plan* and the *Comprehensive Transportation Plan*.

The 2030 Comprehensive Plan's Medium Intensity Neighborhood classification is intended to "provide a transition between High and Low-Intensity Neighborhood areas, while providing a wide range of housing formats and price points. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods."

The 2030 Comprehensive Plan's Natural Resource/Agricultural classification is intended to "create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources."

No development is intended for the locations that are classified as Natural Resource/Agricultural. The applicant has mentioned that a trail may be added to these locations in the future.

The Comprehensive Transportation Plan does not indicate any improvements to N. Main Street at this time.

PLANNING BOARD

The Planning Board took this matter up at its regular meeting of February 8, 2016. The Planning Board voted unanimously to recommend City Council approve the application of Housing Assistance Corporation for an amended Special Use Permit based on the site plans submitted by the applicant.

Planning Director's Report
Neighborhood Compatibility Meeting
Application for a Special Use Permit Amendment
Oklawaha Village File #P15-58-SUR
Thursday, January 14, 2016 1:30 p.m.

Sue Anderson, Planning Director, convened the compatibility meeting at 2:40 pm in the Assembly Room of the City Operations Center. The following were in attendance:

Name	Address
Don Daines (applicant)	602 Kanuga Road
Evan Bracken	133 Ladies Mantle Ct.
Kathleen McWilliams	602 Kanuga Road
Lindsey Smith	602 Kanuga Road
Noelle McKay – applicant	602 Kanuga Road
Ken Perkins	210 Haywood Knolls Dr
Luther Smith, Architect	129 3 rd Avenue West
Sue Anderson, Staff	100 N. King Street
Dave Hazzard, Staff	100 N. King Street
Terri Swann, Staff	100 N. King Street

Ms. Anderson opened the meeting explaining this is an amendment to their Special Use Permit. It will go before the Planning Board on February 8, 2016 and then City Council on March 3, 2016.

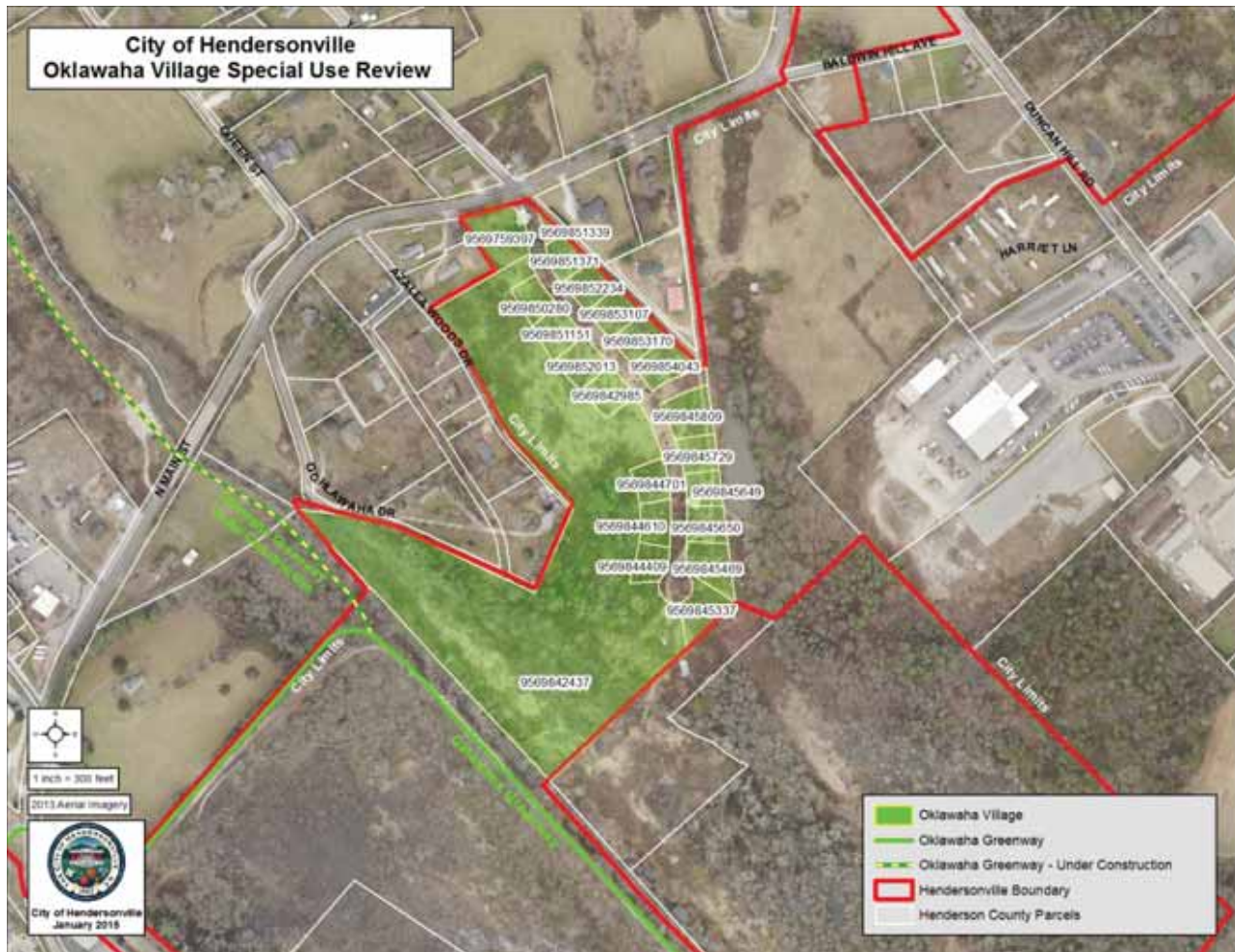
There were no adjacent property owners in attendance.

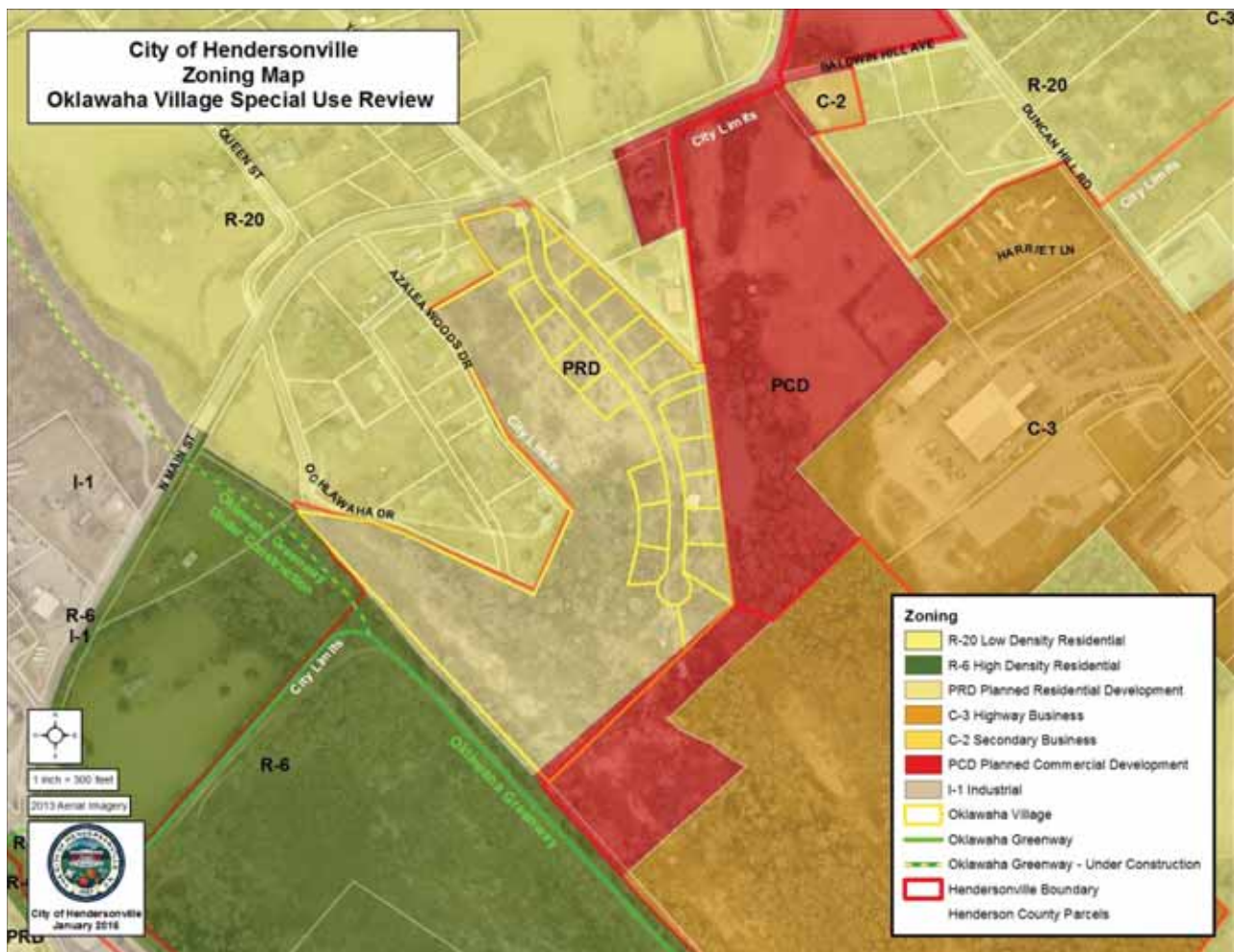
Don Daines, Director of Residential Development for Housing Assistance Corporation stated there are modifications made to the original special use permit. He explained tax credits and how he is working with Luther Smith on the number of parking spaces. They are turning the single-family lot into open space and adding 6 – one bedroom units. There will be 12 units in a building. He explained the grading and the density. He is adding one 12 unit building. This is more targeted to the need in this area.

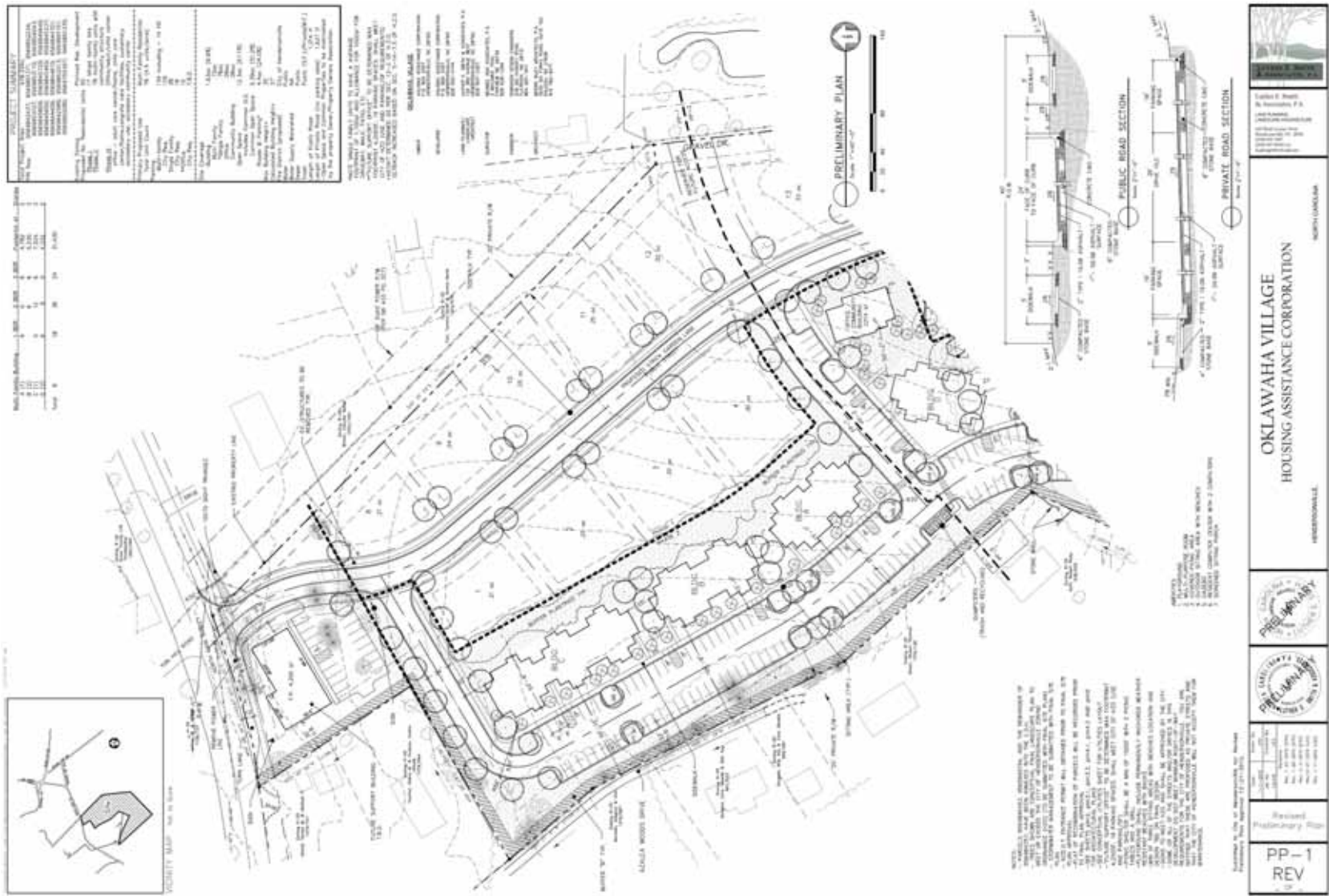
Mr. Daines stated they cannot do what the requirements are for a tax credit so they are doing a RD538 which allows them to internally subsidize.

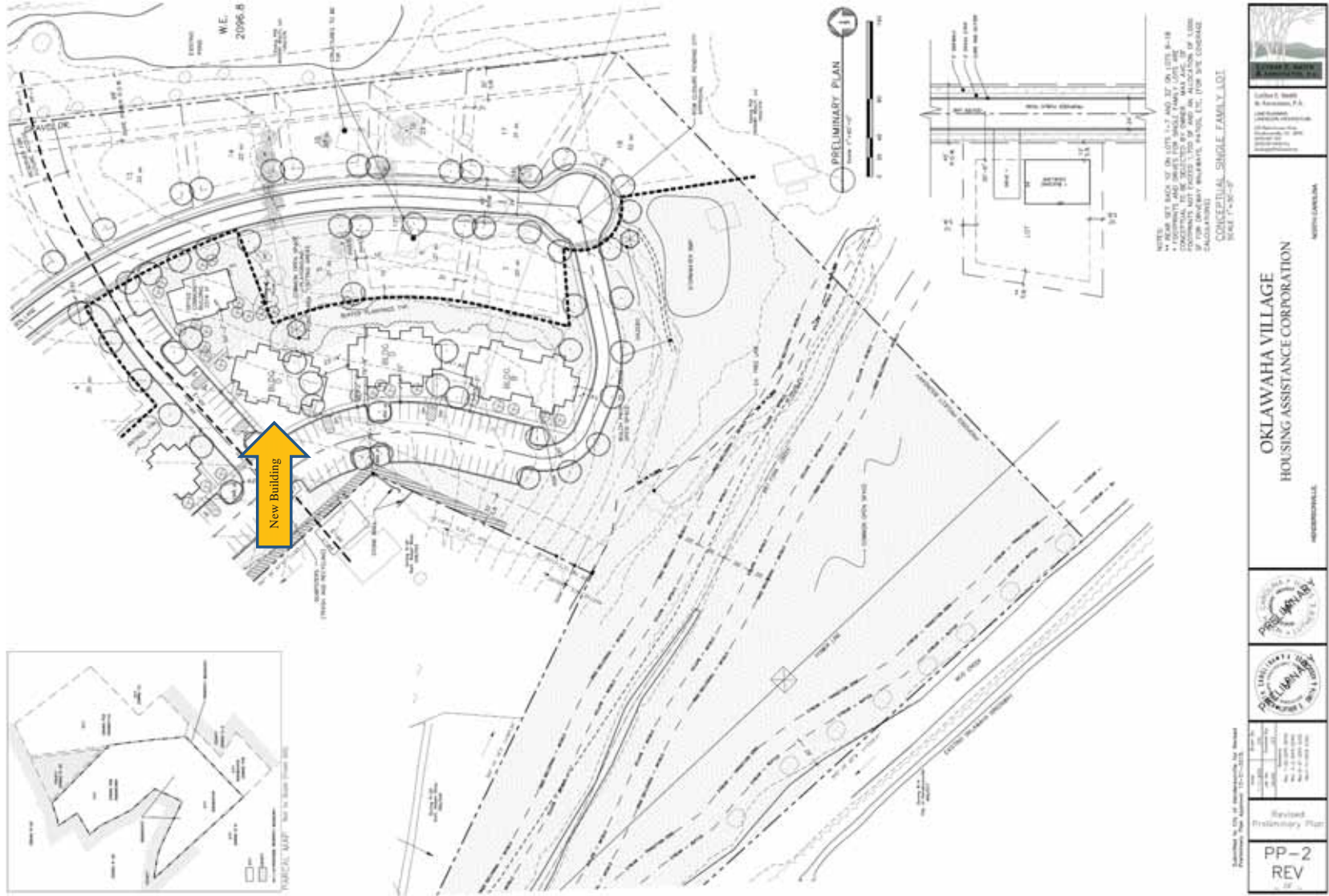
Luther Smith, Architect stated they can add to the common open space to make the open space more usable at the center of the property.

With no further comments or questions, Ms. Anderson closed the meeting at 2:47 p.m.







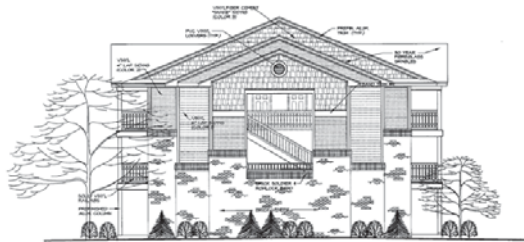




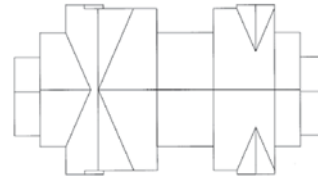
BUILDING "A" REAR ELEVATION



BUILDING "B" REAR ELEVATION

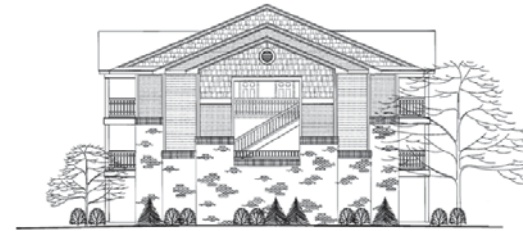


BUILDING "A&B" LEFT SIDE ELEVATION



TYPICAL BUILDING ROOF PLAN

TYPICAL BUILDING COLORS
BRICK - DARK CHOCOLATE RED
VINYL SHADE SIDING - DARK GREEN
VINYL VERTICAL SIDING - MEDIUM GREEN
VINYL LAP SIDING W - LIGHT CREAM
VINYL LAP SIDING R2 - DARK CREAM
RAILINGS & TRIM - MEDIUM BROWN
WOODEN FRAMES - MEDIUM BROWN
ROOF SHINGLES - DARK GREENISH BROWN



BUILDING "A&B" RIGHT SIDE ELEVATION



BUILDING "A" FRONT ELEVATION



BUILDING "B" FRONT ELEVATION

moore riley architects, p.a.
oklawaha village apts., hendersonville, nc
5050 w. 54th street, suite 102, dallas, tx 75230 972.352.2471 fax 972.732.4271 mriley@mooreriley.com

comm. no.
2714
date
1-7-15
revision
1-16-15

sheet no.
p1m4.1

of :

APPEAL OF DEVELOPMENT DECISIONS

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

Section 7-13-2 (b): Preliminary site plans. Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service for by registered mail or certified mail return receipt requested.

Section 7-13-2 (d): Special use review. Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

§ 160A-364.1. Statute of limitations.

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months

City of Hendersonville

PLANNING BOARD REPORT

Project Name: Oklawaha Village
Application for Issuance of an Amended Special Use Permit

File Number: P15-58-SUR

Special Use Permit

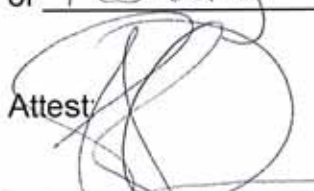
☒ Approval – The application is consistent with all of the objectives and policies for growth and development contained in the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

☐ Approval With Conditions – The application is not fully consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan, so the following conditions are recommended in order to make it fully consistent.


☐ Denial – The application is not consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

This report reflects the recommendation of the Planning Board, this the 8th day of February, 2016.

Attest:



Planning Board Chair



Planning Director



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan Frady, DA Director

Department: Development Asst Dept

Date Submitted: February 17, 2016

Presenter: Susan Frady

Date of Council Meeting to consider this item: March 3, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 09

File #P15- 32-SUB

The City is in receipt of an application from The Housing Assistance Corporation for final subdivision plat approval for the Oklawaha Village project. The proposed Oklawaha Village project is an 18.2 acre Planned Residential Development (PRD) located on North Main Street. On March 5, 2015, City Council approved a Special Use permit for this project and on November 16, 2015, the Planning Board approved the preliminary plat portion of the project.

Section 604.2 of the Subdivision Ordinance has a provision to allow the subdivider to obtain final plat approval prior to the completion, installation and dedication of all improvements provided an agreement is entered into with the City of Hendersonville and a guarantee is secured to cover the costs of the improvements at a rate of 1.25 times the estimated cost.

At the February 4th City Council meeting, City Council approved the performance bond with the condition that the performance bond be approved by the City Manager, City Attorney and the City Engineer. An update will be provided on the status of these approvals at this City Council meeting.

Budget Impact: \$ 0 Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Approval:

I move City Council to approve the application of The Housing Assistance Corporation for a twenty one (21) lot final subdivision plat.

Denial:

I move City Council to deny the application of The Housing Assistance Corporation for a twenty one (21) lot final subdivision plat for the following reasons:

Attachments:

Memo and Final Plat

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Development Assistance Department
RE: Oklawaha Village Final Subdivision Plat
FILE #: P15-32-SUB
DATE: February 17, 2016

PROJECT DESCRIPTION

The City is in receipt of an application from The Housing Assistance Corporation for final subdivision plat approval for the Oklawaha Village project. The proposed Oklawaha Village project is an 18.2 acre Planned Residential Development (PRD) located on North Main Street. On March 5, 2015, City Council approved a Special Use permit for this project and on November 16, 2015, the Planning Board approved the preliminary plat portion of the project.

The preliminary subdivision plat that was approved by the Planning Board consists of 18 single family lots, one office-support building lot, one lot dedicated to storm water and one lot for the multi-family portion. The applicant is requesting final plat approval prior to all infrastructure being completed.

Section 604.2 of the Subdivision Ordinance has a provision to allow the subdivider to obtain final plat approval prior to the completion, installation and dedication of all improvements provided an agreement is entered into with the City of Hendersonville and a guarantee is secured to cover the costs of the improvements at a rate of 1.25 times the estimated cost.

The applicant has received individual City Department approval of all estimates for sewer, water, paving and stormwater improvements and the amount of the guarantee is \$993,798.00. At the February 4th City Council meeting, City Council approved the performance bond with the condition that the performance bond be approved by the City Manager, City Attorney and the City Engineer. Copies of the individual performance bonds are included with this memorandum. An update will be provided on the status of these approvals at this City Council meeting.

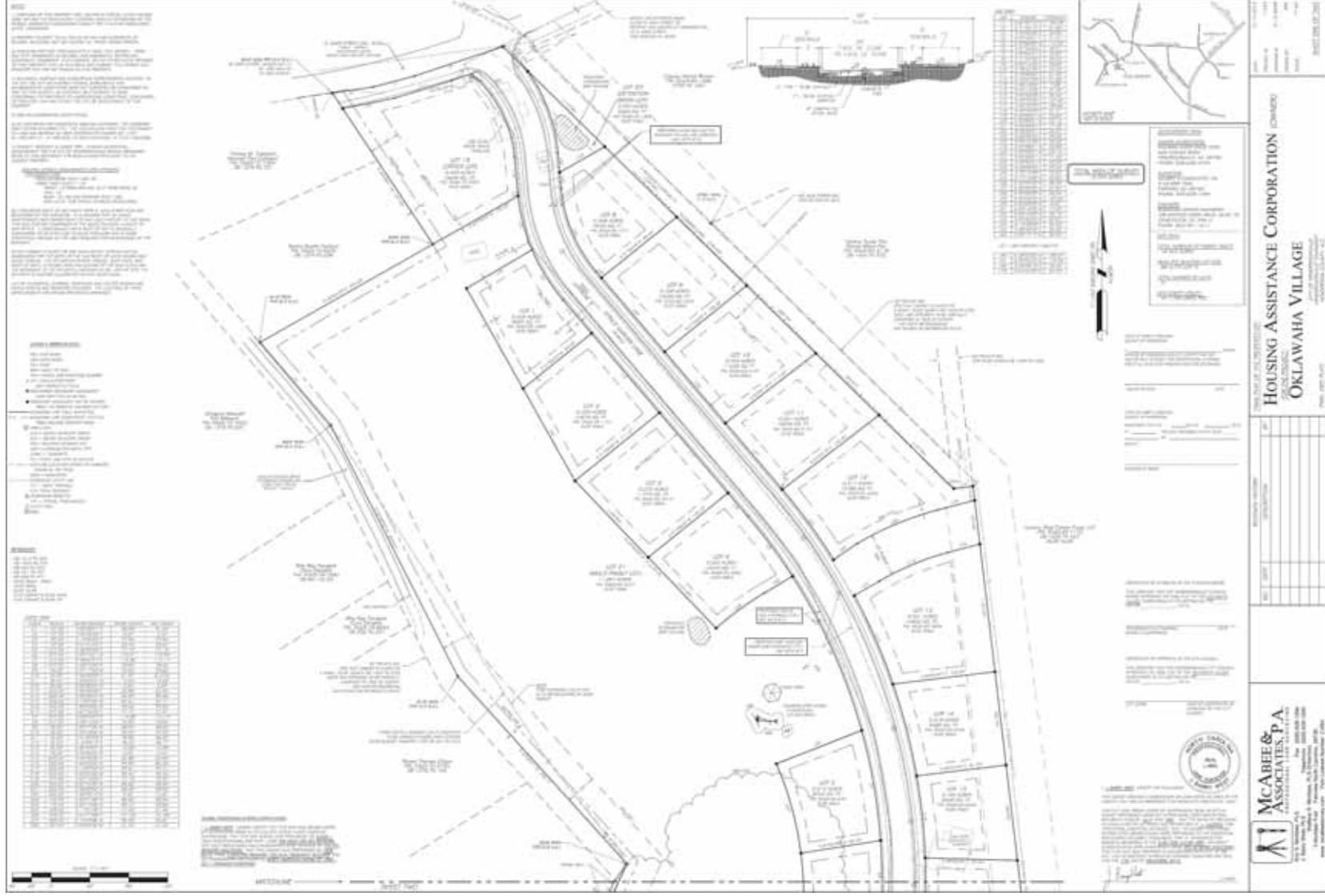
FINAL SUBDIVISION PLAT REVIEW

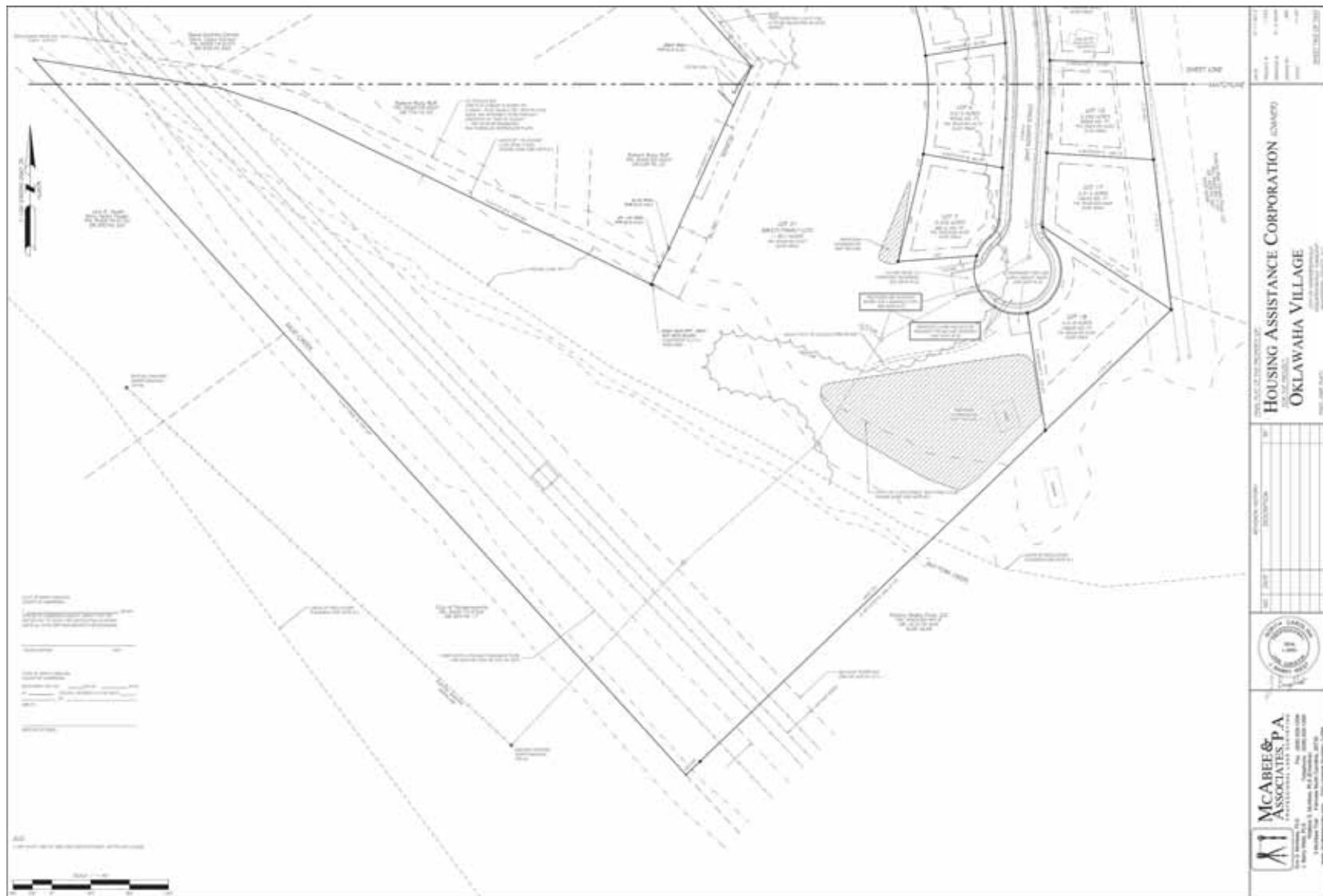
The Oklawaha Village final subdivision plat is for 21 lots and matches the preliminary plat approved by the Planning Board. The lots will be accessed by a 24' wide public road with sidewalks on both sides with the multi-family lot of the Special Use Permit having internal private roads with three access points from the public road. All buildings will have public

water and sewer. All buildings will have pedestrian sidewalk connections within the project and a sidewalk is propose along the property fronting on North Main Street.

Section 605 .1 requires that the final plat contains all information required in the Final Plat Checklist found in Appendix D of the Subdivision Ordinance. Required data include a title block, tract boundaries, adjoining property owners, location of improvements, engineering data, monuments, lot and block numbers, streets and rights-of-way. Development Assistance Department staff have reviewed the final plat for conformance with Appendix D.

The Planning Board shall review the final plat for conformance with the preliminary plat and the City Council shall review and approve or disapprove the final plat based on the requirements in the Subdivision Ordinance. The Planning Board took this matter up at its regular meeting of February 8, 2016. The Planning Board voted unanimously to approve the application of The Housing Assistance Corporation for a twenty one (21) lot final subdivision plat.





**SUBDIVISION/SITE PLAN BOND
PERFORMANCE BOND**

BOND TERM: February 3, 2016 TO February 2, 2017 OR WHEN RELEASED BY THE OBLIGEE

Amount \$ 272,363.00

Bond No.: 2192136

KNOW ALL MEN BY THESE PRESENTS THAT WE, The Housing Assistance Corporation
P.O. Box 2057, Hendersonville, NC 28793, as Principal and North American Specialty
Insurance Company, a NH corporation
authorized to do business in the State of NH with its main bonding office at
650 Elm Street, Manchester, NH 03101, as Surety, are held and
firmly bound unto the City of Hendersonville, as
Obligee, in the full and just sum of Two Hundred Seventy Two Thousand Three
Hundred Sixty Three Dollars and 00/100
(\$ 272,363.00) lawful money of the United States, to the payment of which sum,
well and truly to be made, the Principal and the Surety bind themselves, their successors
and assign, jointly and severally, firmly by these presents.

Signed, Sealed and Dated this 3rd day of February, 2016.

WHEREAS, the Principal has entered into an agreement with the City of
Hendersonville, as Obligee, Guaranteeing that the Principal will,
Construct, Install and Complete Oklawaha Village- Potable Water - See Exhibit A

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
Principal shall carry out all the terms of said agreement and perform all the work as set
forth therein, all within the time set forth in said agreement, then this obligation shall be
null and void; otherwise remain in full force and effect. The aggregate liability of the
Surety is limited to the penal sum of the bond.

Attest _____

Principal: The Housing Assistance Corporation

By: [Signature]

Attest [Signature]
Amy R. Waugh

Surety: North American Specialty Insurance Company

By: [Signature]
Jennifer B. Gullett

Attorney



COST ESTIMATE SUMMARY

Oklawaha Village

Project 14157

January 4, 2016

Robinson Design Engineers

1st Construction Sequence

Item Description	Unit	Unit Price	Quantity	Total Price	125% for Bonding	Notes
1. Sanitary Sewer						
8" sanitary sewer pipe	LF	\$50	1229	\$61,450		MH#1 through MH#12
jack and bore	LF	\$150	441	\$66,150		Mud Creek and Wetlands
sewer service (laterals)	EA	\$500	18	\$9,000		along Strick Garden Lane
manhole	EA	\$5,000	11	\$55,000		
drop manhole	EA	\$6,000	1	\$6,000		
Subtotal - Sanitary Sewer				\$197,600	\$247,000	
2a. Potable Water						
8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
8" Ductile Iron Pipe (DIP)	LF	\$50	1276	\$63,800		along North Main to existing hydrant
8" Ductile Iron Pipe (DIP) jack-and-bore	LF	\$100	50	\$5,000		beneath Baldwin Hill
TS&V 12"x8"	EA	\$7,000	1	\$7,000		
Gate Valve 8"	EA	\$1,500	10	\$15,000		
Blow-off valve	EA	\$1,500	1	\$1,500		
water service connections and meter	EA	\$2,000	18	\$36,000		
fire hydrant	EA	\$2,000	3	\$6,000		
Subtotal - Potable Water				\$195,150	\$243,938	
2b. Potable Water - upsized by city						
8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
12" Ductile Iron Pipe (DIP)	LF	\$60	1276	\$76,560		along N. Main and Baldwin Hill
12" Ductile Iron Pipe (DIP) jack-and-bore	LF	\$120	79	\$9,480		beneath Baldwin Hill and Duncan Hill
TS&V 12"x8"	EA	\$7,000	0	\$0		
TS&V 12"x12"	EA	\$11,000	1	\$11,000		
Gate Valve 8"	EA	\$1,500	6	\$9,000		
Gate Valve 12"	EA	\$1,500	5	\$7,500		
Blow-off valve	EA	\$1,500	1	\$1,500		
water service connection and meter	EA	\$2,000	18	\$36,000		
fire hydrant	EA	\$2,000	3	\$6,000		additional hydrant on North Main Street
Subtotal - Potable Water - upsized by city				\$217,890	\$272,363	
3. Paving						Strick Garden Lane
asphalt roadway	SY	\$33	3716	\$122,632		
curb and gutter	LF	\$15	2715	\$40,725		
sidewalk	LF	\$15	2447	\$36,705		
Subtotal - Paving				\$200,062	\$250,077	
4. Storm Water						
Bio-swales	EA	\$6,000	2	\$12,000		
Bioretention area	EA	\$9,000	1	\$9,000		
Stormwater wetland	LS	\$30,000	1	\$30,000		
riser control structure	EA	\$8,000	2	\$16,000		1 in stormwater wetland, 1 in bioretention area
15" RCP	LF	\$60	1482	\$88,920		
catch basin	EA	\$4,000	14	\$56,000		
grassed swale	LF	\$6	823	\$4,938		
stone	CY	\$50	150	\$7,500		
Subtotal - Storm Water				\$224,358	\$224,358	estimate is conservative- sufficient for 125% per Brendan Shanahan

Unit Key

LS	Lump Sum
EA	Each
LF	Linear Feet
CY	Cubic Yards
SY	Square Yards

This cost estimate is based on our experience with similar projects in the area, comments from City of Hendersonville Staff, and the specific needs of the referenced development. Quantities, and unit costs specifically, will fluctuate based on field conditions and market rates.

**SUBDIVISION/SITE PLAN BOND
PERFORMANCE BOND**

BOND TERM: February 3, 2016 TO February 2, 2017 OR WHEN RELEASED BY THE OBLIGEE

Amount \$ 247,000.00

Bond No.: 2192135

KNOW ALL MEN BY THESE PRESENTS THAT WE, The Housing Assistance Corporation
P.O. Box 2057, Hendersonville, NC 28793, as Principal and North American Specialty
Insurance Company, a NH corporation
authorized to do business in the State of NH with its main bonding office at
650 Elm Street, Manchester, NH 03101, as Surety, are held and
firmly bound unto the City of Hendersonville, as
Obligee, in the full and just sum of Two Hundred Forty Seven Thousand Dollars and 00/100
(\$ 247,000.00) lawful money of the United States, to the payment of which sum,
well and truly to be made, the Principal and the Surety bind themselves, their successors
and assign, jointly and severally, firmly by these presents.

Signed, Sealed and Dated this 3rd day of February, 2016.

WHEREAS, the Principal has entered into an agreement with the City of
Hendersonville, as Obligee, Guaranteeing that the Principal will,
Construct, Install and Complete Oklawaha Village- Sanitary Sewer - See Exhibit A

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
Principal shall carry out all the terms of said agreement and perform all the work as set
forth therein, all within the time set forth in said agreement, then this obligation shall be
null and void; otherwise remain in full force and effect. The aggregate liability of the
Surety is limited to the penal sum of the bond.

Attest _____

Principal: The Housing Assistance Corporation

By: _____

Attest _____

Amy R. Waugh

Surety: North American Specialty Insurance Company

By: _____

Jennifer B. Gullett

Attorney in Fact



COST ESTIMATE SUMMARY

Oklawaha Village

Project 14157

January 4, 2016

Robinson Design Engineers

1st Construction Sequence

Item	Description	Unit	Unit Price	Quantity	Total Price	125% for Bonding	Notes
1. Sanitary Sewer							
	8" sanitary sewer pipe	LF	\$50	1229	\$61,450		MH#1 through MH#12
	jack and bore	LF	\$150	441	\$66,150		Mud Creek and Wetlands
	sewer service (laterals)	EA	\$500	18	\$9,000		along Strick Garden Lane
	manhole	EA	\$5,000	11	\$55,000		
	drop manhole	EA	\$6,000	1	\$6,000		
Subtotal - Sanitary Sewer					\$197,600	\$247,000	
2a. Potable Water							
	8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
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	8" Ductile Iron Pipe (DIP) Jack-and-bore	LF	\$100	50	\$5,000		beneath Baldwin Hill
	TS&V 12"x8"	EA	\$7,000	1	\$7,000		
	Gate Valve 8"	EA	\$1,500	10	\$15,000		
	Blow-off valve	EA	\$1,500	1	\$1,500		
	water service connections and meter	EA	\$2,000	18	\$36,000		
	fire hydrant	EA	\$2,000	3	\$6,000		
Subtotal - Potable Water					\$195,150	\$243,938	
2b. Potable Water -- upsized by city							
	8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
	12" Ductile Iron Pipe (DIP)	LF	\$60	1276	\$76,560		along N. Main and Baldwin Hill
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	TS&V 12"x8"	EA	\$7,000	0	\$0		
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	Blow-off valve	EA	\$1,500	1	\$1,500		
	water service connection and meter	EA	\$2,000	18	\$36,000		
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3. Paving							
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	curb and gutter	LF	\$15	2715	\$40,725		
	sidewalk	LF	\$15	2447	\$36,705		
Subtotal - Paving					\$200,062	\$250,077	
4. Storm Water							
	Bio-swales	EA	\$6,000	2	\$12,000		
	Bioretention area	EA	\$9,000	1	\$9,000		
	Stormwater wetland	LS	\$30,000	1	\$30,000		
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	catch basin	EA	\$4,000	14	\$56,000		
	grassed swale	LF	\$6	823	\$4,938		
	stone	CY	\$50	150	\$7,500		
Subtotal - Storm Water					\$224,358	\$224,358	estimate is conservative- sufficient for 125% per Brendan Shanahan

Unit Key

LS	Lump Sum
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LF	Linear Feet
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SY	Square Yards

This cost estimate is based on our experience with similar projects in the area, comments from City of Hendersonville Staff, and the specific needs of the referenced development. Quantities, and unit costs specifically, will fluctuate based on field conditions and market rates.

**SUBDIVISION/SITE PLAN BOND
PERFORMANCE BOND**

BOND TERM: February 3, 2016 TO February 2, 2017 OR WHEN RELEASED BY THE OBLIGEE

Amount \$ 224,358.00

Bond No.: 2192138

KNOW ALL MEN BY THESE PRESENTS THAT WE, The Housing Assistance Corporation
P.O. Box 2057, Hendersonville, NC 28793, as Principal and North American Specialty
Insurance Company, a NH corporation
authorized to do business in the State of NH with its main bonding office at
650 Elm Street, Manchester, NH 03101, as Surety, are held and
firmly bound unto the City of Hendersonville, as
Obligee, in the full and just sum of Two Hundred Twenty Four Thousand Three
Hundred Fifty Eight Dollars and 00/100
(\$ 224,358.00) lawful money of the United States, to the payment of which sum,
well and truly to be made, the Principal and the Surety bind themselves, their successors
and assign, jointly and severally, firmly by these presents.

Signed, Sealed and Dated this 3rd day of February, 2016.

WHEREAS, the Principal has entered into an agreement with the City of
Hendersonville, as Obligee, Guaranteeing that the Principal will,
Construct, Install and Complete Oklawaha Village- Storm Water - See Exhibit A

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
Principal shall carry out all the terms of said agreement and perform all the work as set
forth therein, all within the time set forth in said agreement, then this obligation shall be
null and void; otherwise remain in full force and effect. The aggregate liability of the
Surety is limited to the penal sum of the bond.

Attest _____

Principal: The Housing Assistance Corporation

By: _____

Attest _____

Amy R. Waugh

Surety: North American Specialty Insurance Company

By: _____

Jennifer B. Gullett

Attorney in Fact



COST ESTIMATE SUMMARY

Oklawaha Village
Project 14157
January 4, 2016
Robinson Design Engineers

1st Construction Sequence

Item	Description	Unit	Unit Price	Quantity	Total Price	125% for Bonding	Notes
1. Sanitary Sewer							
	8" sanitary sewer pipe	LF	\$50	1229	\$61,450		MH#1 through MH#12 Mud Creek and Wetlands along Strick Garden Lane
	jack and bore	LF	\$150	441	\$66,150		
	sewer service (laterals)	EA	\$500	18	\$9,000		
	manhole	EA	\$5,000	11	\$55,000		
	drop manhole	EA	\$6,000	1	\$6,000		
Subtotal - Sanitary Sewer					\$197,600	\$247,000	
2a. Potable Water							
	8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
	8" Ductile Iron Pipe (DIP)	LF	\$50	1276	\$63,800		along North Main to existing hydrant
	8" Ductile Iron Pipe (DIP) jack-and-bore	LF	\$100	50	\$5,000		beneath Baldwin Hill
	TS&V 12"x8"	EA	\$7,000	1	\$7,000		
	Gate Valve 8"	EA	\$1,500	10	\$15,000		
	Blow-off valve	EA	\$1,500	1	\$1,500		
	water service connections and meter	EA	\$2,000	18	\$36,000		
	fire hydrant	EA	\$2,000	3	\$6,000		
Subtotal - Potable Water					\$195,150	\$243,938	
2b. Potable Water - upsized by city							
	8" Ductile Iron Pipe (DIP)	LF	\$50	1217	\$60,850		along Strick Garden Lane
	12" Ductile Iron Pipe (DIP)	LF	\$60	1276	\$78,560		along N. Main and Baldwin Hill
	12" Ductile Iron Pipe (DIP) jack-and-bore	LF	\$120	79	\$9,480		beneath Baldwin Hill and Duncan Hill
	TS&V 12"x8"	EA	\$7,000	0	\$0		
	TS&V 12"x12"	EA	\$11,000	1	\$11,000		
	Gate Valve 8"	EA	\$1,500	6	\$9,000		
	Gate Valve 12"	EA	\$1,500	5	\$7,500		
	Blow-off valve	EA	\$1,500	1	\$1,500		
	water service connection and meter	EA	\$2,000	18	\$36,000		
	fire hydrant	EA	\$2,000	3	\$6,000		additional hydrant on North Main Street
Subtotal - Potable Water - upsized by city					\$217,890	\$272,363	
3. Paving							
	asphalt roadway	SY	\$33	3716	\$122,632		Strick Garden Lane
	curb and gutter	LF	\$15	2715	\$40,725		
	sidewalk	LF	\$15	2447	\$36,705		
Subtotal - Paving					\$200,062	\$250,077	
4. Storm Water							
	Bio-swales	EA	\$6,000	2	\$12,000		
	Bioretention area	EA	\$9,000	1	\$9,000		
	Stormwater wetland	LS	\$30,000	1	\$30,000		
	riser control structure	EA	\$8,000	2	\$16,000		1 in stormwater wetland, 1 in bioretention area
	15" RCP	LF	\$60	1482	\$88,920		
	catch basin	EA	\$4,000	14	\$56,000		
	grassed swale	LF	\$6	823	\$4,938		
	stone	CY	\$50	150	\$7,500		
Subtotal - Storm Water					\$224,358	\$224,358	estimate is conservative- sufficient for 125% per Brendan Shanahan

Unit Key

LS Lump Sum
EA Each
LF Linear Feet
CY Cubic Yards
SY Square Yards

This cost estimate is based on our experience with similar projects in the area, comments from City of Hendersonville Staff, and the specific needs of the referenced development. Quantities, and unit costs specifically, will fluctuate based on field conditions and market rates.

SUBDIVISION/SITE PLAN BOND
PERFORMANCE BOND

BOND TERM: February 3, 2016 TO February 2, 2017 OR WHEN RELEASED BY THE OBLIGEE

Amount \$ 250,077.00

Bond No.: 2192137

KNOW ALL MEN BY THESE PRESENTS THAT WE, The Housing Assistance Corporation
P.O. Box 2057, Hendersonville, NC 28793, as Principal and North American Specialty
Insurance Company, a NH corporation
authorized to do business in the State of NH with its main bonding office at
650 Elm Street, Manchester, NH 03101, as Surety, are held and
firmly bound unto the City of Hendersonville, as
Obligee, in the full and just sum of Two Hundred Fifty Thousand Seventy Seven Dollars and 00/100
(\$ 250,077.00) lawful money of the United States, to the payment of which sum,
well and truly to be made, the Principal and the Surety bind themselves, their successors
and assign, jointly and severally, firmly by these presents.

Signed, Sealed and Dated this 3rd day of February, 2016.

WHEREAS, the Principal has entered into an agreement with the City of
Hendersonville, as Obligee, Guaranteeing that the Principal will,
Construct, Install and Complete Oklawaha Village- Paving - See Exhibit A

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
Principal shall carry out all the terms of said agreement and perform all the work as set
forth therein, all within the time set forth in said agreement, then this obligation shall be
null and void; otherwise remain in full force and effect. The aggregate liability of the
Surety is limited to the penal sum of the bond.

Attest _____

Attest Amy R. Waugh
Amy R. Waugh

Principal: The Housing Assistance Corporation

By: [Signature]

Surety: North American Specialty Insurance Company

By: Jennifer B. Gullett
Jennifer B. Gullett

Attorney in Fact



COST ESTIMATE SUMMARY

Oklawaha Village

Project 14157

January 4, 2016

Robinson Design Engineers

1st Construction Sequence

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CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Lee Smith

Date Submitted: 2/24/2016

Date of Council Meeting to consider this item:

Nature of Item: Discussion/Staff Direction

Department: Water/Sewer

Presenter: Cheria Duncan

Summary of Information/Request:

Item # 10

I recently met with Cheria, Billy and Tony Duncan regarding a 55+ retirement community comprised of mobile homes located on a parcel at 20 Hannah Grace Way off of Sugarloaf Road, just west of Fire Station 2. The Duncans are potential buyers for this property and are carrying out their due diligence in regards to purchasing this property. Our meeting centered around a discussion regarding the possible connection of this community to the City's gravity sewer main located in the right-of-way of this property along Sugarloaf Road and the associated system development charges. The existing septic system serving this community is continuing to fail and has prevented the replacement of homes once removed from the property thus limiting the potential to maximize the occupancy of this community. Based on GIS data, there are 31-homesites but only 23 are occupied with homes, leaving 8-vacant spaces.

The Duncans are requesting an opportunity to describe their plans to improve this community and to request City Council's consideration of waiving the system development charges for this property if connected to City sewer. The cost for the sewer system development charges for this site would be \$26,350 (31-units x \$850/unit = \$26,350). This parcel is already connected to City water.

Budget Impact: \$_____ Is this expenditure approved in the current fiscal year budget? ☐ No ☐ Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:

Copy of correspondence from potential developer of the property.

View of property from GIS.

Smith, Lee

From: Cheria Duncan <cheriaduncan2@live.com>
Sent: Friday, February 19, 2016 8:42 AM
To: Smith, Lee
Cc: billyduncan2@yahoo.com; tameduncan@hotmail.com
Subject: Request for assistance to connect to the City of Hendersonville Utilites

Dear Mr. Smith,

As per our meeting yesterday, we are requesting to be heard at the Hendersonville City Council meeting forthcoming on March 3, 2016.

Our plea is to waive the system development charges associated with connecting to Hendersonville City Sewer in order to replace a disadvantaged wastewater system located at 20 Hannah Grace Way, Hendersonville, North Carolina 28792. (Reference: Whitesides Green Acres Retirement Mobile Home Community)

We are currently under contract to purchase the said property which is being operated as an age restrictive 55+ retirement community. Subsequent to it's owner Mr. Whitesides passing in 2011, the community has continued to deteriorate as evidenced by the overall condition of the property and what few homes remain. Due to violations recorded at the Hendersonville Health Department relative to waste water, there can be no more homes moved into the community based on the limited capacity of the existing septic system.

Our revitalization plans include replacing the existing septic system with connection to city water and all new manufactured homes with front porches, rock accents and carports. The existing farm house, which sits in the middle of the property, will be restored and converted into a gathering place for senior residents and their guests for activities and social events. All of these improvements will offer senior residents an affordable housing option in a safe and welcoming setting.

In addition to improving the integrity of the property, this project will greatly enhance the overall appearance of the area in general which includes a new fire station across the street.

We ask your assistance in helping us to make this a wonderful place to call home for senior residents whom are blessed to retire in the beautiful mountains of Western North Carolina.

Kind Regards,
We are,

Cheria Duncan
Billy Duncan
Tony Duncan
(828) 702-7924





CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Brent Detwiler

Department: Engineering

Date Submitted: 2/24/16

Presenter: Brent Detwiler

Date of Council Meeting to consider this item: 3/3/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 11

At the January 7, 2016 City Council Meeting, the South Market Village development project was reviewed and the Special Use Permit approved. Stormwater and potential flooding concerns were discussed during the public hearing. One of the items discussed involved a City-owned parcel adjacent to the South Market Village development and the potential to use this property to attenuate flooding in the area. The Engineering Department was asked to work with the developer as necessary and look at the feasibility of using the City-owned property to help with south side area flooding.

Staff has begun a Southside Area Stormwater Study to look at the entire area and determine what measures could be taken to help alleviate flooding. The scope of the Study will include:

- Obtain existing hydraulic model from NC Floodplain Mapping Program. The existing model incorporates the 10-year, 50-year, 100-year and 500-year events.
- Use hydrologic data (land cover, impervious surfaces, etc.) from the Southside drainage area to calculate flow rates (discharges)
- Develop a new hydraulic model to map the 1-year, 2-year and 5-year events.
- This will give us a clearer picture of whether the City-owned property can be used to mitigate flooding and what that (or other) possible project would look like.

A brief presentation will follow to describe the scope of work and show examples.

Budget Impact: \$ 0 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

Attachments:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Lew Holloway

Department: Downtown

Date Submitted: 02/22/2016

Presenter: Lew Holloway

Date of Council Meeting to consider this item: 03/03/2016

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 12

Revisions to Parking Permits Discussion.

See attached summary for background information.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:
Agenda Item Summary.

PARKING PERMIT AGENDA SUMMARY

In March of 2015 the City of Hendersonville received the final report from Dixon Resources Unlimited. Titled the "City of Hendersonville Comprehensive Parking Study," the report endeavored to develop a comprehensive understanding of the existing parking environment and recommend short and long term objectives for enhancing that environment. The study was commissioned following a series of stakeholder workshops and a community survey conducted in late summer/early fall of 2013. The workshops and survey indicated resources, accessibility, abuse and signage were all negatively impacting downtown parking and while signage was a component that the City was able to pursue immediate solutions for, the other challenges noted by the community were intertwined and required a comprehensive and experienced approach.

Dixon Resources was hired in the summer of 2014 and began their review over the following months. Their final report recommended a number of short term and more immediate enhancements, along with some additional longer-term solutions to be reconsidered enhancements were implemented. Recommendations that have been implemented to date include the addition of "Downtown Ambassadors," the Ambassador's serve to compliment and add consistency to our existing enforcement efforts, while also providing a resource to downtown's visitors. Parking Kiosks have also been installed in each of the public parking lots located throughout the downtown district. These kiosks provide multiple payment options for lot visitors and have modernized resources in the lots. The City has also adjusted the processing approach for ticket payment, etc. to better serve customers.

The report also had a series of recommendations related to the parking rates, penalty schedule and leased space permits. In reviewing these proposed changes when first delivered it became clear that while there was broad support for changes to customer parking rates and to the penalty schedule there were larger concerns related to alterations to the existing leased space permits. Following the initial presentation of a new permit program, City staff stepped back and sent a survey to existing permit holders to see if there were any combination of solutions that were preferred. Basically the report revealed that while there was some tolerance for changes, there were a number of permit holders that did not want to see a change in the existing 24/7 reserved space permit that the City has offered for years.

In an attempt to balance the desire by existing permit holders to maintain their current arrangement while also encouraging a move toward the more flexible permit program suggested by Dixon Resources Unlimited in their report Staff are proposing to offer the following permit options.

1) Grandfather Permit (Interior & Exterior): This permit type would maintain the existing 24/7 assigned space currently offered permit holders. A grandfathered interior permit would be good for an assigned space within the Municipal Service District, i.e. between Church and King and Allen and 7th Ave. and would cost \$60. A grandfathered exterior permit would be good for an assigned space outside of the

district and would cost \$50. These permits would only be available to existing permit holders and would be non-transferable.

2) Standard Permit (Interior & Exterior): This permit type would offer access to "designated leased spaces" between 8:00 am and 6:00 pm Monday through Saturday. These spaces would not be assigned to specific permit holders, but available on a first come/ first serve basis to permit holders only. A standard interior permit would be good within lots located in the Municipal Service District, i.e. between Church and King and Allen and 7th Ave. and would cost \$30. A standard exterior permit would be good within lots located outside of the district (currently Dogwood) and would cost \$15. These permits would be available to existing permit holders and future new permit holders.

Notes:

- 1) Standard Permit holders will have the option of parking in metered spaces, either interior or exterior depending on their permit type, should "designated leased spaces" be fully occupied without penalty.
- 2) The City does not intend to offer additional permits immediately after implementation of these changes.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Lew Holloway

Department: Downtown

Date Submitted: 02/22/2016

Presenter: Lew Holloway

Date of Council Meeting to consider this item: 03/03/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 13

The Downtown Advisory Committee is requesting a Special Event Permit for the 2016 Rhythm & Brews Concert Series. The five concerts will take place on the 3rd Thursday of each month, May through September. The 2016 dates are as follows:

May 19th
June 16th
July 21st
August 18th
September 15th

The only significant change to the event over last year is a move from the Azalea Lot location used over the previous three years to the south end of Main Street. The new event site is proposed to be Main Street between Caswell/Kanuga on the southern end and Allen Street on the northern end.

Approval of the special event permit for Rhythm & Brews includes the sale of alcohol.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 02.25.16

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 03.0316

Nature of Item: Council Action

Summary of Information/Request:

Item # 16

PLANNING BOARD: There is a vacancy on the Planning Board due to the resignation of Mr. Michael Coggins. We have applications on file from Ian Edwards (serving as Chairman on the Environmental Sustainability Board) and Charles (Chuck) Kuester (serving on the HPC). We have not received any applications since your February meeting. You may choose to delay the appointment in order to seek additional applications.

SEVENTH AVE ADVISORY COMMITTEE: The terms of Ron Kauffman, Jim Kastetter and Farrell Beam will expire in April. All of the positions are at-large positions. Neither Mr. Beam or Mr. Kastetter are seeking reappointment. Mr. Kauffman would like very much to be reappointed. Diane Caldwell is also seeking appointment to the committee. We also have an applications from Sheryl Fortune.

BUSINESS ADVISORY COMMITTEE: The terms of Cam Boyd and Rhonda (Brissie) Chislaghi will expire March 2016. Both members would like to continue serving.

ANNOUNCEMENTS:

BOARD OF ADJUSTMENT: There is a vacant alternate position due to the resignation of Ms. April Thompson. There are no applications on file at this time.

HISTORIC PRESERVATION COMMISSION: There is a vacancy on the HPC due to Jo Tyler's resignation. There are no applications on file at this time for the HPC.

ENVIRONMENTAL SUSTAINABILITY BOARD: There are five City resident positions and two of those are vacant.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I nominate ... to fill an unexpired term on the Planning Board. This term will expire 12-01-17.

Attachments:

board membership lists